SAMPLE SOCIAL MEDIA PARTICIPATION POLICY

**Social Media Participation Policy**

**1. Introduction**

This document formalizes the policy for employees that are managers, non-union employees and contractors (“users”) within the [INSERT AGENCY NAME] on the use of social media sites. ***This policy shall also extend to bargaining unit members, except that Section 3 (Required Work-Related Use of Social Media) shall apply to such members only if they have voluntarily agreed in writing with their employer to the use of social media as a job responsibility.***

“Social media sites” refers to websites that facilitate user participation, networking, and collaboration through the submission of user generated content. A “social media identity” is a specific user identity or account that has been registered on a third party social media site (such as the Whitehouse account on Twitter™ or an employee’s personal account on Facebook™). Social media in general includes tools such as: blogs, wikis, microblogging sites, such as Twitter™; social networking sites, such as Facebook and LinkedIn™; video sharing sites, such as YouTube™; and bookmarking sites such as Del.icio.us™.

This document addresses three distinct uses of social media, including:

a. **Required Work Related Use of Social Media**: Use of social media that is sanctioned as part of employee’s job function (e.g. when an employee tweets on behalf of the Executive Director of the Agency on the Executive Director’s Twitter account). This use is addressed in Section 3 of this policy.

b. **Personal Use of Social Media at Work**: An employee’s personal use of social media while at work (e.g. logging onto Facebook and providing personal updates to a Facebook page, which is outside of the employee’s official job function, while at work, during work hours). This use is addressed in Section 4 of this policy.

c. **Personal Use of Social Media Outside of Work**: An employee’s use of social media in his or her personal capacity outside of work time. This use is addressed in Section 5 of this policy.

**2. User Responsibilities**

It is the responsibility of any person subject to this policy that uses a social media to read, understand, and follow this policy. In addition, users are expected to exercise reasonable judgment in interpreting this policy and in making decisions about the use of social media identities. Any person with questions regarding the application or meaning of this policy should seek clarification from appropriate management. Failure to observe this policy may subject individuals to disciplinary action, including termination of employment.

**3. Required Work-Related Use of Social Media**

The [Agency name] is pleased to announce the launch of a new social media channels to communicate with customers. A social media identity is a specific user identity that has been registered on a third party social media site and is associated with the Agency, an official at the Agency, or a designated employee. Government social media sites or identities typically provide forums for commentary or news on topics related to the government agency that hosts the social media site or has secured the social media identity. A typical social media site (whether hosted by the Agency or a third party) combines text, images, and links to other websites including blogs, wikis, and other media related to the topic and enables readers to leave comments in an interactive format.

The purposes of [Agency name]’s social media identities and sites include [sample goals …

* Engaging in conversation with the citizens of the Commonwealth of Massachusetts
* Furthering the goal of transparency within government
* Providing the agency with meaningful feedback from our customers
* Goal 4…]

This document outlines the policy for [Agency name] employees’ conduct while contributing to or moderating this Agency’s social media sites or providing comments or updates to the Agency’s social media identities.

In addition to the topics addressed here, social media content must be in compliance with the [Agency name]’s relevant policies, including its harassment and discrimination policies, confidentiality policies, ethics rules, code of conduct, and other policies.

**Social media Guidelines**

**a. Follow the Acceptable Use Policy**. Know and follow [Agency’s Name]’s Acceptable Use Policy (the “AUP”) and any additional acceptable use policies for use of Commonwealth information technology resources adopted by your agency. Your agency’s social media site or identity is an “information technology resource” under the AUP.

**b. You are Personally Responsible for What you Publish.**  You are personally responsible for the content you publish on your agency social media site. Be mindful that what you publish will be public for a long time.

**c. Considerations When Speaking on Behalf of your Agency**. Identify yourself—name and, when relevant, role at your agency—when you discuss agency or agency-related matters on your agency social media website or in connection with the Agency’s social media identity. Write in the first person. It is important to make clear when you are speaking for yourself, and when you are speaking on behalf of the agency. Only speak on behalf of the agency when your commentary is based on the law governing your agency, or on your agency’s explicit written standards, policies, and practices, or you have received prior permission from your supervisor to address a particular topic in a particular way. However, there are occasions when agency employees will be asked on a social media site (such as a blog or wiki), as they are by the public in other situations, to explain how the laws to which the agency is subject, or the regulations and policies that it has issued, or its historic practices, will apply to a particular situation. There is often no black letter law, regulation, or policy, or historic practice, that addresses with 100% certainty an issue raised by the public. In their daily work with the public, state employees appropriately, on occasion, answer such questions by interpreting known precedents. When they do so, state employees often say something like “I don’t know what the official agency position would be in that situation, but in my opinion, …”. When faced with a similar question on a social media site, make clear, as you would if speaking in person or over the phone, that you are offering your opinion on a matter, not the agency’s official position.

**d. Understand Users’ First Amendment Rights.** Although the [Agency name] can moderate the social media sites that accept comments from the public (such as blogs and wikis) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, we cannot use the moderation function to restrict speech with which the [Agency name] merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by state agencies. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, such as those identified in the [Agency name] Terms of Comment [link].

**e. Do Not Comment on Social Media Sites about Agency Business Outside the Agency’s Social Media Sites or Identities**. Do not publish content to any website outside of your agency’s website that has to do with that agency or agency-related matters.

**f. Respect Copyright Law**. [Agency name] social media participants must abide by laws governing copyright and fair use of copyrighted material owned by others. Never reprint whole articles or publications without first receiving written permission from the publication owner. Never quote more than a short excerpt of someone else’s work and, if possible, provide a link to the original.

**g. Protect Confidential Information**. Don't provide your agency’s confidential information. Never post legally protected personal information that you have obtained from your agency (e.g., information that is not public record under the Public Records Law, Mass. Gen. L. ch. 66, sec. 10 or whose dissemination is restricted under the Commonwealth’s Privacy Act, Mass. Gen. L. ch. 66A, Executive Order 504, or under other Federal or State privacy laws or regulations). Ask permission to publish or report on conversations that occur within your agency. Never post information about policies or plans that have not been finalized by your agency, unless you have received explicit permission from your supervisor to post draft policies or plans on the agency social media for public comment.

**h. Consider Your Content.** As informal as social media sites are meant to be, if they're on a government domain or a government identity, they're official government communications. Social media sites will be sought out by mainstream media – so a great deal of thought needs to go into how you will use the social media in a way that benefits both the [Agency name] and the public.

**i. Don’t Feed the Rumor Mill.** You should merely say, "no comment" to rumors. Do not deny or affirm them—or suggest either denial or affirmation in subtle ways.

**j. Handling Negative Comments.** Because the purpose of many social media sites particularly agency blogs and wikis, is to get feedback from the public you should expect that some of the feedback you receive will be negative (and you may need to develop a thick skin!). Some effective ways to respond to negative comments include:

i. Providing accurate information in the spirit of being helpful

ii. Respectfully disagreeing

iii. Acknowledging that it is possible to hold different points of view

**k. Provide Links**. When you make a reference to a law, regulation, policy, or other website, where possible provide a link or at a minimum, the cite.

**l. Respect Your Audience and Your Coworkers.** Don't use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in your agency’s workplace. Remember that the Commonwealth’s residents reflect a diverse set of customs, values and points of view. Don't be afraid to be yourself, but do so respectfully. This includes not only the obvious (no ethnic slurs, personal insults, obscenity, threats of violence, etc.) but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory—such as party politics and religion. Do not use your agency’s social media presence to communicate among fellow Commonwealth employees. Do not air your differences with your fellow Commonwealth employees on your agency’s social media’s presence. Show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory—such as race, ethnic origin, and religion.

**m. Be Transparent, Admit to your Mistakes, and Differ Respectfully**. Don't pick fights, be the first to correct your own mistakes, and don't alter previous posts without indicating that you have done so. When you see misrepresentations made about your agency by media or by other users, you may use the agency’s social media site or identity to point that out. However, you must do so with respect, and stick to the facts.

**n. Use the Social Media Site or Identity Only to Contribute to your Agency’s Mission**. When you contribute to your agency’s social media site or identity provide worthwhile information and perspective that contributes to your agency’s mission of serving the public. What you publish will reflect on your agency and the Administration. Social media sites and identities should be used in a way that contributes to the agency’s mission by:

i. Helping you and your co-workers perform their jobs better;

ii. Informing citizens about government services and how to access them;

iii. Making the operations of your agency transparent and accessible to the public;

iv. Creating a forum for the receipt of candid comments from residents about how government can be improved; and

v. Encouraging civic engagement.

**o. Respond to Your Own Mistakes.** If you make an error, own up to it and correct it quickly.

The [Agency name] policy is that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change evident to users. If you choose to modify an earlier post, make it clear that you have done so—do not remove or delete the incorrect content; provide the correct information and apologize for the error. Ways to accomplish this include:

i. Strike through the error and correct

ii. Create a new post with the correct information, and link to it from the post you need to correct or clarify.

Either method is acceptable. The goal is that for the social media identity or site to achieve transparency, we cannot change content that has already been published without making the changes clearly evident to users.

**p. Use Your Best Judgment.** If you're about to publish something that makes you even the slightest bit uncomfortable, review the suggestions above and think about why that is. If you're still unsure, discuss it with your manager.

**q. Don't Forget Your Day Job.** Make sure that your online activities, even if they are sanctioned or required by your agency, do not interfere with other parts of your job. Employee social media users are responsible for keeping their managers informed about any impediments that arise which could disrupt the agreed on publishing schedule.

**r. Handling Media Inquiries.** The [Agency name] social media identity or site may lead to increased inquiries from the media. If you are contacted directly by a reporter, you should refer media questions to the [Agency name] [INSERT NAME OF REFERRAL].

**4. Personal Use of Social Media at Work**

* 1. **Follow the Acceptable Use Policy.** Know and follow [Agency’s Name]’s Acceptable Use Policy (the “AUP”) and any additional acceptable use policies for use of Commonwealth information technology resources adopted by your agency. Access to third party websites using Commonwealth technology is an “information technology resource” under the AUP.
  2. **Employees’ personal use should not be attributable to the agency or to the employee’s job function at agency.** An employee’s use and comments made at a social media site are subject to First Amendment protections. However, any personal use made of social media sites while at work (for example during break periods), must be conducted in such a manner that a reader would not think that the employee is speaking for or on behalf of his or her agency employer.

**c. Must be in conformance with relevant portions of workplace policies and all relevant laws and regulations.** Employees’ use of such sites must be in compliance with the [Agency name]’s relevant policies, including its harassment and discrimination policies, confidentiality policies, ethics rules, code of conduct, and other policies, as well as with state Ethics Law, Federal Copyright law, and other applicable laws and regulations.

**d.** **Must not be excessive**. Excessive use of social media during work hours may result in discipline or termination.

**5. Personal Use of Social Media outside of Work**

**a. Employees’ personal use should not be attributable to the agency or employee’s job function at agency.** An employee’s use and comments made at social media sites are subject to First Amendment protections. However, any personal use made of social media sites outside of work assignments or responsibilities, where such personal use is related to subject matter pertinent to the employee’s agency, must be conducted in such a manner that a reader would not think that the employee is speaking for or on behalf of his or her agency employer.

**b. Must be in conformance with relevant portions of workplace policies.** Employees use of such sites must be in compliance with the applicable portions of the [Agency name]’s relevant policies, including its harassment and discrimination policies, confidentiality policies, ethics rules, code of conduct, workplace violence, and other policies. Some of these policies, for example the Agency’s sexual harassment policy and the ethics rules, could apply to employee actions performed outside of normal working hours at third party sites.