Social Media Policy

Bullet Points 1/9/14

Begin with a policy statement:

• The purpose is to provide guidance to members to clarify the boundaries between appropriate and inappropriate use of social media by fire department personnel.

• Nothing in these rules is intended to unlawfully restrict a member’s right to:
  – discuss as a private citizen, matters of public concern, nor
  – engage in concerted activity with co-workers.

• Members have an affirmative obligation to avoid being perceived as a spokesperson for the department

• Engaging in social media and social networking activities is a form of speech

• Define spokesperson and give examples

• **Spokesperson for the department**: an employee/member who makes a statement: On behalf of the department; In his/her capacity as an employee or member of the department; or In such a way that it may reasonably be attributed to the department

4 Key Points

1. No member, while speaking as a **private citizen** on a **matter of public concern** regarding the fire department, shall speak in such a way as to cause actual harm or disruption to the mission and functions of the department

2. Members may speak on a **matter of public concern** as a **spokesperson** for the department only with permission through the chain of command.

   • Members shall at all times exercise diligence to avoid holding themselves out as spokespersons for the department except when duly authorized.
     o Provide examples of ways that members may inadvertently hold themselves out as spokespersons, such as use of FD name or
• The use of titles, FD logos, FD owned images, or identification as a member of the department that *creates an impression that the member is a spokesperson for the department* is prohibited.
  o Many alternatives: *strict approach* can prohibit any identification of member as an employee; can allow use of title with approval of chief; may allow use of department name and title in emails but not screen names; etc. In a collective bargaining environment, the strict approach should include the following exception: unless doing so is with other employees and/or employee representatives, and is for the purpose of engaging in concerted activities relative to workplace issues.
  o May require a disclaimer by members using FD identity
  o Each department needs to put considerable thought into the particulars of this provision

3. Members are *prohibited* from publically discussing fire department matters that are *not a matter of public concern*, unless doing so is for the purpose of *engaging in concerted activities* relative to workplace issues.

   Note: In departments where employees do not have a right to engage in concerted activities the above provision may read as follows: Members are *prohibited* from publically discussing fire department matters that are *not a matter of public concern*.

4. Members shall not engage in speech that is *false, deceptive, libelous, slanderous, misleading or causes harm* to others, including speech that constitutes *hate speech*, or *harassment*; nor shall members discuss protected or confidential matters of the department, including:

   – matters that are under investigation,
   
   – patient and employee information protected by HIPAA/medical confidentiality laws, or
   
   – personnel matters that are protected from disclosure by law.
Additionally consider including a code of conduct:

- When engaging in social media or social networking activities, all personnel will maintain a level of professionalism in both on-duty and off-duty conduct that is consistent with the honorable mission of our department.
- Recommend voluntary (non-disciplinary) restrictions on expressions of condolences for LODD, injuries, sicknesses, accidents until family has been notified.
- Use FD Facebook or Twitter to acknowledge that family notification has been made.

**Consider prohibiting release or use of:**

- Department owned digital images, audio, video without department approval.
- Sexually explicit or illegal material.
  
  Note: “Department owned” imagery most likely constitutes a “public record”. The ability to restrict employees’ use of public records in your jurisdiction may be limited and should be researched.

**Prohibit members from:**

- Participating in social networking while on duty (recommended)
  
  - If necessary this restriction can be limited to video based social media activities.
  - Some departments may want to add provision expressly allowing personal communications with family members (e.g. Parent may want to Skype or Facetime children, spouse).

- Participating in social networking from FD facilities or apparatus
  
  - The concern is about off-duty members engaging in a video chat using the station or apparatus as backdrop. If necessary this restriction can be limited to video based social media activities.

- Participating in social networking while identifiable as a member of the FD
  
  - Video chat in uniform/identifiable whether on or off duty, and whether in full uniform or partially in uniform.