

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

RESOLUTION NO. 2019-373

**A RESOLUTION AUTHORIZING AN AMENDMENT TO
THE PERSONNEL POLICY AND PROCEDURES MANUAL**

WHEREAS, on the 9th day of September 2014, the Township Committee of the Township of Cranford (the "Township"), in recognition of the efficiency of setting forth the terms, conditions and emoluments of employment in a central Manual, adopted Resolution No. 2014-341, approving the Township of Cranford Personnel Policies and Procedures Manual; and

WHEREAS, the Township and its Administration, on a regular basis, reviews its Personnel Policy and Procedures Manual; and

WHEREAS, the Administration recommends that its formal policy regarding social media should be revised to maintain a high standard of employment conduct; and


WHEREAS, the Administration has drafted the amendments to the Personnel Policy and Procedures Manual relating to these topics and desires that these changes be adopted by the governing body and incorporated as part of the Township's Personnel Policy and Procedures Manual.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranford, in the County of Union and State of New Jersey as follows:

Section Two entitled, "Workplace Policies" is hereby amended to include the attached supplement which will be on file with the Township Clerk.

BE IT FURTHER RESOLVED, that the Administrator is hereby authorized to take the necessary steps to incorporate these amendments as part of the Personnel Policy and Procedures Manual effective immediately.

Certified to be a true copy of a resolution adopted by the Township Committee of Cranford at a meeting held on October 29, 2019.


Patricia Donahue, RMC
Township Clerk

Dated: 10/29/19

Social Media Policy – Updated 10/15/19

Purpose

The purpose of this social media policy is to establish a “best management practice” for the use of existing and changing social media for communication. The Township recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of outlets. However, employees' use of social media can pose risks to the Township's confidential information and reputation and, in certain circumstances, could potentially expose the Township to legal liability. There is no such thing as a private social media site. Once information appears online, it becomes part of a permanent record, even if it is later deleted. Everything written on the Internet leaves a digital footprint that can be traced back to its author.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance and to ensure that the Township's information technology resources and communications systems are used appropriately, the Township expects its employees to adhere to the following guidelines and rules regarding use of social media.

Examples of social media websites and applications include, but are not limited to, Facebook, Twitter, Instagram, Reddit, Snapchat, LinkedIn, YouTube, and Periscope. Everyday new websites and applications are introduced, which meet the same general definition of social media, and the definition of social media may change over time. This policy may be updated from time to time to reflect new opportunities and new challenges.

Applicability

This policy covers a wide range of individuals who can be seen as agents or representatives of the Township, including all employed or contracted personnel (union and non- union, full and part time, hourly, seasonal, per diem, vendors, and independent contractors), volunteers, and public officials of the Township.

- **Employees:** All Township personnel have a responsibility to maintain the integrity of the Township no matter where, when or how they interact with social media.
- **Volunteers:** The Township utilizes members of the community as volunteers who intermittently or regularly assist the Township with activities for no compensation. While clearly these individuals are not employees and no employment obligations are accrued to them for their public service, by association, volunteers become municipal representatives of the Township. Volunteers are prohibited from representing the Township in an official capacity on social media. A volunteer must uphold and respect the same core values of professional communication behavior that would be required of an employee
- **Public Officials:** Those elected and appointed officials of the Township, as defined by State Law, play a very special role in the dissemination of information for the Township. One of the main roles of a public official is fulfilling the responsibility to communicate clearly and regularly with their constituents on a host of Township business.

Nothing in this policy will limit the First Amendment right of free speech of an employee, volunteer, agent, or official of the Township; and any employee's protected, concerted, or union activity shall not be infringed upon by this policy. The Township of Cranford respects the right of employees to engage in private personal activities including the right of association and privacy,

but will not tolerate certain types of speech in social media, which may appear to the public to be a professional dissemination of organizational information by our municipal government, obtained in the course of one's employment, without consent of the Township.

This policy is binding on all the employees, volunteers, and public officials of the Township of Cranford.

Compliance With Related Policies and Agreements

Social media should never be used in a way that violates any other Township policies or employee obligations. If your social media activity would violate any of the Township's policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to violate the Township's:

- Business Equipment Usage Policy;
- Fair Employment Practices Policy;
- Workplace Violence Policy.

Business Use of Social Media

The Township Administrator, or his/her designee, shall serve as the Township's social media coordinator and shall be responsible for overseeing the Township's official social media activity and monitoring compliance with all Township policies including this policy. The Township Administrator shall designate which social media platforms, if any, the Township will use to establish an official Township social media profile, and shall designate which employees, if any, are permitted to publish, edit, or comment on Township social media profiles on behalf of the Township.

Any social media sites created by a Township employee, Township volunteer, Township official and/or Township entity remains the property of the Township, and the Township owns all social media accounts used on behalf of the Township or otherwise for business purposes, including any and all log-in information, passwords and content associated with each account, such as followers and contacts. The Township owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with the Township. The use of social media sites any municipal department and municipal board or committee in an official or quasi-official capacity are also subject to compliance with the Township Social Media Policy with oversight and approval by the Township Administrator or his/her designee.

If your job duties require you to speak on behalf of the Township in a social media environment, you must still seek approval for such communication from the Township Administrator who may require you to receive training before you do so and impose certain requirements and restrictions with regard to your activities. Likewise, if you are contacted for comment about the Township for publication, including in any social media outlet, direct the inquiry to the Township Administrator and do not respond without written approval.

Employees who do not have the job responsibilities that include posting information to a Township-maintained website and/or social media account, or in a manner that could reasonably be attributed to the Township must obtain express written authorization from the Township

Administrator. Employees are prohibited from using Township logos or graphics on personal social media sites. Employees are also prohibited from using the Township's name to promote a service, product, cause, political party, candidate or group on personal media sites.

The Township has the right to and will restrict or remove any content that it deems in violation of this Social Media Policy, any applicable law or for any other reason it deems appropriate. Any content removed based on these guidelines will be retained by the Township Administrator and/or his/her designee pursuant to the applicable Township retention policy, including the time, date and identity of the poster, when available.

Employees should also never provide references or recommendations for co-workers on social or professional networking sites, as such references or recommendations can be attributed to the Township and could potentially create legal liability for employees and the Township (such as interference with prospective business contracts and allegations of wrongful termination).

No Expectation of Privacy

Consistent with the Township's Business Equipment Usage policy, employees are prohibited from using the Township's business equipment for non-business reasons, including personal use of social media.

You are expressly advised that in order to prevent misuse, **the Township reserves the right to monitor, intercept and review, without further notice, every employee's activities using the Township's information technology resources and communications systems, including but not limited to social media postings and activities, and you consent to such monitoring by your acknowledgment of this policy and your use of such resources and systems.** This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, messages, communications, postings, log-ins, recordings and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

The Township also may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

Do not use the Township's information technology resources and communications systems for any matter that you desire to be kept private or confidential from the Township.

Guidelines for Employees' Responsible Use of Social Media

The above material covers specific rules, policies and obligations that employees must follow in using social media, whether for personal or business purposes, in consideration of their employment and subject to discipline for violations. The following sections of the policy provide employees with common-sense guidelines and recommendations for using social media responsibly and safely, in the best interests of the Township. These guidelines reflect the "duty of loyalty" every employee owes its employer, and are intended to add to, not contradict, limit or replace, applicable mandatory rules, policies, legal requirements, legal prohibitions and obligations.

Protect the Township's Goodwill and Reputation

You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses (including the Township itself, future employers and social acquaintances) for a long time. Keep this in mind before you post content. Content maintained in a social media format that is related to official Township actions and activities, including a list of subscribers and posted communication, may be considered public records, subject to the provisions of the Open Public Records Act.

Make it clear in your social media activity that you are speaking on your own behalf. Write in the first person and use your personal e-mail address when communicating via social media. Never post anonymously to social media sites when your post could be attributed to the Township, its suppliers or vendors. Anonymous posts can be traced back to the original sender's email address. Follow all guidelines in this policy regarding social media postings.

If you disclose your affiliation as an employee of the Township, it is recommended that you also include a disclaimer that your views do not represent those of the Township. The bright line distinction is to make sure all posts are clearly expressed as your own statements or opinions and not an official statement or position of the Township. For example, consider such language as "the views in this posting do not represent the views of my employer."

Use good judgment about what you post and remember that anything you say can reflect on the Township, even if you do include a disclaimer. Always strive to be accurate in your communications about the Township and remember that your statements have the potential to result in liability for yourself or the Township. The Township encourages professionalism and honesty in social media and other communications.

Respect Confidential Information

You should be mindful of your obligation to protect the Township's confidential information from disclosure to outside parties and not do anything to jeopardize its confidential status through your use of social media.

Respect and Comply With Terms of Use of All Sites You Visit

Do not expose yourself or the Township to legal risk by using a social media site in violation of its terms of use. Review the terms of use of all social media sites you visit and ensure your use complies with them. If you are using social media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the social media site, including prohibitions or restrictions on use for advertising, marketing and promotions or other commercial purposes (for example, *Facebook's Statement of Rights and Responsibilities* (its terms of use) and accompanying *Promotional Guidelines* specify the terms for administering promotions through Facebook).
- Privacy rights and responsibilities of the site owner and users.

Respect Others

Do not post anything that the Township's residents, suppliers or vendors would find offensive, including ethnic slurs, sexist comments, discriminatory comments, insults or obscenity.

Supervisors and direct reports should refrain from trying to connect with one another on social media sites (for example, making friend requests on Facebook). Direct reports may request connections with supervisors, however. Supervisors should not feel pressured to accept the request.

All Township policies and applicable state and federal laws, including, but not limited to, policies or laws prohibiting harassment, discrimination, and retaliation apply with equal force to conduct occurring in person and online. Any violation of these policies or laws will be addressed in the same manner whether the offending conduct occurs in person or online. Harassment, bullying, discrimination, or retaliation that would not be permissible in the workplace is equally impermissible online, even if it is done after hours, from home, or on personal computers or other personal devices. Violation of all Township policies or laws while on social media, even personal social media accounts, may result in disciplinary action by the Township.

Conduct Not Prohibited by this Policy

This policy, or any other set forth in this Manual, is not intended to preclude or dissuade employees from engaging in activities protected by state or federal law, including the National Labor Relations Act, such as discussing wages, benefits, terms and conditions of employment, forming, joining or supporting labor unions, bargaining collectively, raising complaints about working conditions for their and their fellow employees' mutual aid and protection, or to otherwise restrict communications or actions protected or required by state or federal law.