

TOWN OF BERLIN
ELECTRONIC MEDIA POLICY

(replaces Electronic Media Policy found on Page 9 of 2001-2002 Handbook)

Computers

I. Usage

- A. The Town of Berlin may utilize social media tools and websites to further enhance communications with various stake holder organizations in support of goals, policies and programs. As part of their job responsibilities, Town employees shall learn to appropriately and lawfully use available technological resources in order to assist them in their ability to publish articles, facilitate discussions and communicate information through various social media tools and sites when conducting Town business.

Individual users are responsible for their own conduct. The use of computers is a privilege not a right. As an owner of both the hardware and the software, the Town of Berlin reserves the authority to withdraw or terminate this privilege if, in the Town's sole discretion, such withdrawal or termination is in the best interest of the Town.

- B. Acceptable uses of computers are all activities that pertain to the mission, goals and purpose of the Town and to the user's job responsibilities. The following is a list of typical acceptable uses. This list is not all-inclusive.
- a. E-mail - sending and receiving electronic mail to and from secure domains for job related purposes only. Word processing documents, spreadsheets, maps, etc. are encouraged uses via electronic services and the Internet. However, reasonable care shall be taken to avoid exposing the work station and Town network to spam, viruses, malware, worms and other malicious content.
 - b. Research – access to on-line information sources known to be reliable, if relevant to job responsibilities, that offer current, specialized information.
 - c. Grant and Contract Information – Electronic mailing lists and file transfer capabilities that allow more convenient communication to and from grantees.
 - d. Legislation and Regulations – The use of being informed and updated on pending and adopted state and federal legislation and regulations. To access committee reports, draft legislation and other information.
 - e. Networking – to participate in a safe, collaborative effort with various organizations, cities, towns and other states for the purposes of providing valuable assistance on various policy issues.
 - f. Public Access – The Internet can be used to provide public access to local information and services, thus allowing for the capability to promulgate information regarding the Town.
- C. Activities that do not conform to the mission, goals and purposes of the Town and to the user's job responsibilities. All questionable acceptable usage should be avoided. The following is not an all-inclusive list of unacceptable uses.
- a. Illegal Activity – Illegal or inappropriate activities are prohibited and are violations of local, state, and/or federal laws and regulations.
 - b. Private – The electronic media is not intended for private, commercial purposes. Business and other transactions are prohibited.
 - c. Unfair Practices – Acts that are deliberately wasteful of computing resources. Acts including, but not limited to, broadcasting unsolicited messages or mailings, creating unnecessary output or printing, or creating unnecessary network traffic.

II. E-mail

- A. The Town's E-mail system is designed to facilitate official Town business communication among Town employees, residents and the various business associates of the Town. The E-mail systems are the property of the Town, regardless of the physical location of the files or the form in which those files are maintained.
- a. The electronic mail system hardware is Town property. Additionally, all messages composed, sent or received on the electronic mail system are and remain the property of the Town. They are not the private property of the employee.
 - b. The use of the electronic mail system is reserved solely for conducting Town business. It may not be used for personal business.
 - c. The electronic mail system may not be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations.
 - d. The electronic mail system is not to be used to create any offensive or disruptive messages. Among those messages considered offensive are any messages which contain sexual content or implications, racial or ethnic slurs, gender-specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin or disability.
 - e. Town employees shall recognize that E-mail messages are not private, but are discoverable communications and may be subject to disclosure pursuant to the Connecticut Freedom of Information Act. Regardless of whether electronic communications are subject to the Freedom of Information Act, employees shall not delete or otherwise cause electronic messages to be removed or destroyed without the advance written approval of the Town Manager unless such e-mail messages qualify as transitory messages pursuant to the Connecticut State Liberty Municipal Records Retention Schedule. More specifically, junk mail, announcements and email relating to routine business activities (scheduling, casual email that does not contain public records) may be deleted at will unless a litigation hold or other direction requiring retention has been issued by the Town Manager.
 - f. All communications concerning the business of the Town shall be treated as confidential by employees. However, for purposes of privacy, the confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. The message may be residing in the recipient's mailbox or forwarded to other recipients. The message may also be stored on the Town's system backups.
 - g. If an attachment has been sent along with an E-mail, the recipient will notice a small paperclip next to the envelope. If the attachment is from an unknown source, the employee is directed not to open the attachment. The Town Manager and IT Department should be called immediately. These attachments are often used to transmit viruses. The introduction of a virus into our system could cause our network to malfunction.
 - h. Employees are not authorized to retrieve or read any E-mail messages that are not intended for them. If you receive an E-mail message intended for another recipient, contact the Town Manager or his/her designee immediately. If an employee is out of the office for any length of time the Town Manager, or his/her designee, reserves the right to open his/her files and access any E-mail correspondence.

III. Internet

- A. The Internet worldwide computer network provides a unique service for acquiring and sharing government, technical and legal information. The Internet's electronic mail system can keep mutual professional interest groups in ready contact. Town employees using the Internet for professional governmental purposes need to ensure that they do so in a proper, safe, ethical and professional manner.
- B. Employees who use the Internet must not download or upload material containing the following:
- a. Derogatory racial or ethnic content;
 - b. Sexual content;

- c. Derogatory religious content;
 - d. Political statements;
 - e. Offensive language; or
 - f. Any content which would negatively reflect upon the Town when applying a reasonable community – based standard.
- C. Employees who use the Internet must not use the Internet for personal gain or unapproved solicitation.
- D. No system user shall download software, content or applications from the Internet without the permission of the Town Manager, his/her designee or the Director of IT. Although the Town uses virus-scanning software on its electronic systems, these tools are not infallible. Software downloaded from the Internet may contain viruses. This downloaded virus could render our network inoperable.
- E. To promote effective use of the Internet as part of their training, employees are, with permission from the supervisor, encouraged to spend some time “exploring” the professional resources available on the Internet. Internet usage by employees will be monitored for compliance with this policy.

Social Media

I. Purpose

The Town of Berlin may utilize social media tools and websites to further enhance communications with various stakeholder organizations in support of goals, policies and programs. Social media, for purposes of this policy, means the use of online technology to communicate with others. Examples of social media tools and websites include, without limitation, blogs and social networking sites such as Facebook, YouTube, Twitter, LinkedIn, etc. Employees should recognize that the Connecticut Freedom of Information Act applies to communications shared via social media. Likewise, employees should use care to avoid illegal meetings on social media (i.e., a quorum of a public agency exchanging information via social media may be considered a meeting under FOIA).

The town recognizes social media has a direct connection to freedom of speech. This policy is intended to respect the first amendment and to provide guidance for appropriate administration while balancing the interest of the Town in a safe and appropriate workplace.

For purposes of this policy, "Social Media" is understood to be content, including but not limited to social networks, blogs, picture and video sharing, podcasts, wikis, wall postings, message boards and online forums, published on the Internet. Examples of Social Media sites include, but are not limited to, Facebook, Twitter, Google+, blogs, YouTube, LinkedIn, and Instagram.

II. Use of Town-sponsored/created social media sites

- A. All Town sponsored/created social media sites shall be:
 - a. Approved by the Town Manager and the requesting Department Head.
 - b. Administered by a designated Town representative as determined by the Town Manager and the Department Head.
- B. Only Town Employees (including members of volunteer boards/commissions) specifically authorized to post content on Town-sponsored/created social media sites on behalf of the Town will be permitted to do so. Unless specifically authorized to do so, Town employees do not have permission to speak on behalf of the Town via any social media sites. Town sponsored/created social media sites shall not be used by any

Town employee for the creation, publication, posting or distribution of any personal and/or non-work-related written, visual and/or audio correspondence or materials.

- C. All Town sponsored/created social media sites shall adhere to all applicable state, federal and local laws, regulations and Town policies.
- D. Freedom of Information Act requirements and electronic-discovery obligations may apply to the content on all Town-sponsored/created social media sites, and therefore, the Town will manage, store and retrieve such content as may be necessary to comply with these requirements and obligations.
- E. The Town reserves the right to restrict or remove any content on any Town sponsored/created social media sites that is deemed in violation of this policy or any applicable law.
- F. Examples of content that shall not be allowed to be posted by anyone (including Town employees and members of the public) on any Town sponsored/created social media sites are (without limitation) as follows:
 - a. Comments not topically related to the particular site or information posted;
 - b. Profanity;
 - c. Content that promotes, fosters, or perpetuates discrimination or harassment on the basis of any legally protected status, including race, color, age, religion, gender, marital status, national origin, disability or sexual orientation;
 - d. Sexual content or links to sexual content;
 - e. Solicitations of commerce;
 - f. Content demonstrating participation in or encouraging any illegal activity;
 - g. Content that may compromise the safety or security of the Town or the public;
 - h. Content that violates a legal ownership interest of any other party;
 - i. Any other content deemed inappropriate by the Town Manager.
- G. Employees representing the Town via social media outlets must conduct themselves at all times in a professional manner as a representative of the Town and in accordance with all applicable state, federal and local laws, regulations and Town policies.
- H. Employees found in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

III. Personal use of social media sites

- A. Any conduct which under federal, state or local law or Town policy is impermissible if expressed in any other format (such as through a conversation, a memo or an e-mail) is impermissible if expressed by an employee through any personal use of social media as well. Further, any employee who chooses to personally use social media needs to be aware of the following:
 - a. In an effort to protect the Town as well as the privacy of our employees, accessing personal social media accounts on town equipment will not be authorized.
 - b. Employees who use social media shall not post any proprietary or confidential Town data, documents or photographs, or any information which would violate any privacy laws applicable to the Town, regardless of whether the posting is done during working or non-working time.
 - c. Unless authorized in writing by a management representative (such as when an employee's job is to send public messages on behalf of the Town), employees do not have permission to speak on behalf of the Town via social media.
 - d. While communicating through social media, if employees post any content that has something to do with the work they perform for the Town or subjects associated with the business of the Town, employees must make clear that they are not speaking on behalf of the Town by

accompanying their posts with a disclaimer such as: "The postings on this site are my own and do not necessarily represent the Town's positions or opinions."

- B. When an employee's use of any social media violates the law or Town policies (including policies pertaining to employee misconduct or job performance), appropriate discipline up to and including termination of employment will be imposed and regardless of the tools or site used to post or send such information.
- C. Nothing in this policy (or any other Town policy) will be implemented or should be interpreted in any manner so as to prohibit or inhibit employees from engaging in any personal lawful activities through social media, including exercising any rights they may have to engage in protected concerted activity or political activities.

Training

- A. All employees given permission by the Town Manager or his/her designee to post on the Town's Social Media sites shall learn to appropriately use available technological resources in order to assist them in their ability to publish articles, facilitate discussions and communicate information through various social media tools and sites when conducting Town business.

Violations of Policies

- A. Any violation of the provisions of these policies can lead to loss of computer services, and/or progressive disciplinary action. Such action will depend upon the severity of the violations; the frequency of violations; and the effect such violation has on the network. Such discipline shall be handled by the Town Manager and in conformance with appropriate provisions of collective bargaining agreements and the Town's personnel rules.

Approved by Town Council on June 5, 2018

