

Metro | *Policies and procedures*

Subject Social Media Policy
Section Communications; Human Resources
Approved by Martha Bennett, Chief Operating Officer

POLICY

Metro recognizes the value of social media in connecting with the citizens of the Metro region. Metro finds social media to be a valuable tool to further the goals of the Metro Compass. This policy establishes expectations for employee use of social media. Metro has an overriding interest in what is "spoken" on behalf of Metro on social media sites.

Applicable to

All employees.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of the collective bargaining agreement will prevail.

Definitions

Social Media: Primarily internet and mobile-based tools for sharing and discussing information. The term most often refers to activities that integrate technology and social interaction. Examples include but are not limited to:

- a. Weblogs: blogs, vlogs, microblogs
- b. Wikis
- c. Social bookmarking
- d. Social networking
- e. Podcasts
- f. Videos

Social Media Site: A website that leverages social media tools for its visitors. Examples include but are not limited to:

- a. Facebook
- b. Twitter
- c. LinkedIn
- d. YouTube
- e. MySpace
- f. Flickr
- g. Wikipedia

Moderator: A Metro employee authorized to moderate public comments on a Metro social media account.

User: A Metro employee authorized to post or publish to a Metro social media account.

Public Record: As defined by Oregon Revised Statutes (ORS) 192.005(5), a public record is “a document, book, paper, photograph, file, sound recording or machine-readable electronic record, regardless of physical form or characteristics, made, received, filed or recorded in pursuance of law or in connection with the transaction of public business, whether or not confidential or restricted in use.”

Guidelines

1. All Metro social media users and moderators shall comply with this policy and the laws cited herein as well as the Metro Charter, Code and other applicable policies. Applicable policies include but are not limited to the Metro Email/Voicemail Policy, Network Access Policy, Restrictions on Political Campaigning by Public Employees, Discrimination and Harassment Policy, and the Code of Ethics.

Personal Use of Social Media

2. Metro employees using social media for personal use outside of work are cautioned not to give the false impression that they are speaking on behalf of Metro. The intention of this provision is to avoid misleading the public.
 - a. Employees shall avoid using Metro-generated content, including Metro’s logo, venue logos, or other Metro branding, in a way that may lead a reader to believe they are viewing Metro’s official website.
 - b. Employees who are known by the public to be Metro employees are encouraged to include a disclaimer on their personal social media accounts stating that the opinions and posts contained there are personal and are not endorsed by Metro.
3. Metro employees using social media shall have no expectation of privacy for any data posted during work time or while using Metro equipment.
4. Metro employees using social media for personal use outside of work may be subject to discipline for posts on personal blogs, profiles, and other social media accounts that are related to Metro and adversely impact the Metro work environment. Examples of social media conduct for which an employee may be disciplined include disclosing confidential information or threatening, harassing, or violating the privacy of others at Metro.

For the purposes of this provision, confidential information includes the following:

- a. Other employees’ identifiable personal information, such as medical information and social security numbers, unless permission is specifically granted by the employee;
- b. Information about confidential personnel matters, such as disciplinary information or information about job applicant performance during the selection and hiring process, unless permission is specifically granted by the employee;

- c. Information about interview or test questions used in the selection process that may provide an unfair advantage during the hiring process;
 - d. Information about security measures in place to protect employees, the public, and/or Metro assets;
 - e. Information that is subject to attorney-client privilege;
 - f. Any other information that is required to be kept confidential by law or Metro policy.
5. This policy is not intended to restrict employees from legally protected speech, such as engaging in concerted labor activity or speaking as a private citizen on matters of public concern. Employees will not be disciplined for such conduct. Determinations under this provision will be made by the Office of Metro Attorney in accordance with applicable law.

Procedures

Using Metro's Social Media Channels

1. A department or venue may enter into an agreement with a social media site to create a forum for interacting with the public when there is a proven need to do so and staff capacity to regularly update and moderate the online conversation.
2. To request permission for access to a social media site, employees must fill out the attached Social Media Access Request form and submit it, with supervisor and manager approval, to the Communications Director. If the Communications Director authorizes the Social Media Access Request, social media content management will be formally added to the individual employee's job description.
3. Users must familiarize themselves and comply with all Terms of Use of the social media host site. Each user shall retain a copy of the host's Terms of Use and be alert to any modification to those terms. Departments may establish their own procedures for monitoring changes to host sites' Terms of Use.
4. Whenever possible, all Metro social media accounts will display the Metro logo and tag "Making a great place" for consistency and authenticity. Metro has ownership of the Metro logo, which can only be used by Metro for Metro business. Venues that choose to display their own venue logo instead of the Metro logo shall ensure the registration of their trademark logo with the State of Oregon.
5. Users who are authorized to establish or maintain a Metro social media account shall ensure that all public comment capabilities are disabled unless they are essential to the purpose of the social media account. If public comments are enabled, the following steps must be taken:

- a. If possible, use a “click to agree” disclaimer that includes the Social Media Terms of Use, Prohibited Content and Disclaimer statement.
 - b. If there is no “click to agree” function available, the Social Media Terms of Use, Prohibited Content and Disclaimer statement must be posted in a conspicuous location on the profile or information page for the social media site.
 - c. If the formatting of the social media site cannot accommodate the full text of the Social Media Terms of Use, Prohibited Content and Disclaimer statement in a prominent location on the account, the user must include a hyperlink to the full disclaimer in a prominent location on the site.
6. Each Metro social media account shall prominently post one of the two following Terms of Use, Prohibited Content and Disclaimer statements:

Metro - Social Media Terms of Use, Prohibited Content and Disclaimer

We welcome you and your comments to Metro’s [Social Media account type]. The purpose of this site is to [mission / purpose of page]. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and is not a public forum.

Metro reserves the right to delete submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, sexual or religious group. Further, Metro also reserves the right to delete comments that are: (i) spam or include links to other sites; (ii) off topic; (iii) advocate illegal activity; (iv) promote particular services, products, or political organizations or campaigns; (v) contain personal attacks; (vi) contain confidential or proprietary information; (vii) raise privacy concerns; (viii) identify a minor; or (ix) infringe on copyrights or trademarks.

Metro does not endorse or sponsor any comment made on this site by parties other than Metro. Such comments do not reflect the opinions and position of the Metro regional government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact _____ at phone/email_____. The comments made on this site may be considered public records and may be maintained and reproduced.

or

Metro - Social Media Terms of Use, Prohibited Content and Disclaimer

We strive to provide our guests with a positive experience when visiting our venues and websites. Please post respectfully.

This site is for your comments, questions, and concerns relating to [insert

specific mission/purpose of the applicable Visitor Venue's page]. We encourage your input, but please note this is a moderated online discussion site and not a public forum.

[Applicable Visitor Venue] reserves the right to remove submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, sexual or religious group.

[Applicable Visitor Venue] also reserves the right to delete comments that are: (i) spam or include links to other sites; (ii) off topic; (iii) advocate illegal activity; (iv) promote particular services, products, or political organizations or campaigns; (v) contain personal attacks; (vi) contain confidential or proprietary information; (vii) raise privacy concerns; (viii) identify a minor; or (ix) infringe on copyrights or trademarks.

The comments expressed on this site do not reflect the opinions and position of the [applicable Visitor Venue] or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact _____ at phone/email_____.

The comments made on this site may be considered public records and may be maintained and reproduced by [insert Visitor Venue].

7. If outside links are permitted, the Metro social media account shall prominently post the following "Links Disclaimer":

Metro – Outside Links Disclaimer

Links to external Internet sites do not constitute Metro's endorsement of the content of those sites, policies, or statements contained therein. Web links are often updated or deleted, and the user is cautioned to conduct his/her own research before following a link contained herein or elsewhere.

8. Metro's social media channels are designed to be moderated discussion sites rather than public forums. A moderator shall delete, in their entirety, any comments that violate the Social Media Terms of Use and Prohibited Content statement. A copy of all deleted comments shall be retained for Metro's records, including the date, time, and identity of the poster, when available, and a brief description of why the comment violates the Metro comment policy.
9. Moderators shall not discriminate against public speech based on content or viewpoint except as provided in the Social Media Terms of Use and Prohibited Content statement.
10. Users shall establish social media accounts using a Metro or venue email address. Using a Metro or venue email address will ensure that:
 - a. Personal and professional communications are separated;
 - b. Metro is able to back up public conversations because of Metro's ownership and control of the email address;

- c. Metro has access to the social media account when the employee is out on vacation or otherwise away from the office; and
 - d. Metro and the public can determine that the social media account is legitimately Metro's (and not a rogue site generated from a private email address).
11. All users shall be trained on appropriate and effective use of social media in order to meet Metro's goals. Only those employees who are both authorized and trained shall engage in social media activities on Metro's behalf.
 12. Users shall not make any posts on Metro's social media sites that include the following:
 - a. Confidential information;
 - b. Nonpublic or otherwise sensitive information;
 - c. Defamatory, libelous, offensive or demeaning material;
 - d. Inaccurate or misleading information;
 - e. Information that would invade the privacy of others;
 - f. Information or opinions related to legal matters, litigation or parties involved in legal or litigation matters;
 - g. Statements promoting or opposing election petitions, candidates, political committees or ballot measures in violation of restrictions on political campaigning by public employees;
 - h. Personal matters regarding yourself or others;
 - i. Illegal or banned substances and narcotics;
 - j. Pornography or other offensive or illegal materials; or
 - k. Uncivil, tactless, incendiary or combative statements.
 13. Each user is responsible for publishing accurate and clear information to social media accounts and quickly making corrections or clarifications as needed. Users must clearly indicate corrections and clarifications and include the time and reason for the correction or clarification.

Records Retention Requirements

1. Users and moderators must maintain and preserve records in compliance with Oregon public records law, ORS 192.001 *et seq.* Metro is required to maintain records for the period provided in the retention schedule for that type of record.
 - a. In some instances, individual departments have their own records retention schedules for their records. These must be approved by the State where they

differ from what is found in the state statute. Users and moderators must be familiar with their department's record retention schedules and preserve records in accordance with those schedules.

- b. The public records law applies whether the site is hosted by Metro or a third party.
2. **Managing Social Media Content that is Officially Maintained Elsewhere.** Under the ORS definition, a public record does *not* include: "Extra copies of a document, preserved only for convenience of reference" (ORS 192.005(5)(d)). Users can greatly simplify their retention responsibilities by using Social Media applications exclusively to provide the public with links or references to content that is officially maintained elsewhere. Using this approach, the links or references posted on Social Media sites would be considered convenience copies that need to be retained only "as needed" or "until superseded."
3. **Managing "Original" Social Media Content.** It is possible that users will publish original content via social media, and that content requires retention. Public comments to Metro social media sites may also constitute a public record. Almost all of this "original" content will fall into one of the categories below.
 - a. **Speeches/Statements/News Releases/Program Activity Records:** For retention purposes, a Metro blog posting (for example) is the equivalent of a public speech. An on-the-spot written or photographed account of a Metro event or summary of Metro activities pushed out via any social media will be considered a "report." If any of these statements or reports contains policy or historically significant content, they must be retained permanently. Otherwise, they have a two-year retention from the time they are "published."
 - b. **Correspondence:** Incoming messages from the public that arrive via a Metro social media site will be treated as correspondence. For correspondence that originates on a Metro social media site and that merits a response to an individual (as opposed to a public posting), the user would be advised to take that correspondence "offline" and, if possible, communicate directly with the individual and maintain that correspondence using established procedures for correspondence management. Much of the correspondence between elected officials and the public is considered "policy and historical" and warrants permanent retention.
 - c. **Content Associated with a Specific Function or Activity:** If a user establishes a social media site as a public entry point to solicit specific information (e.g. conducting a poll) or launch a process (e.g. placing an order), the information received must then be retained along with other records associated with that function or activity using the appropriate retention schedule.
4. **Preserving Social Media Content – Technology.** Metro does not currently endorse a single, preferred method of capturing and preserving social Media content. Before activating a social media account, users must consult with Information Services and the Metro Records Officer to create a plan for managing any content that constitutes an official Metro record.

Responsibilities

Employees:

- Become familiar with this policy and comply with its terms.
- Refrain from representing comments on a non-Metro site as Metro-endorsed or as acting in the capacity of a Metro representative.

Supervisors and Managers:

- Oversee employee compliance with this policy.
- Provide preliminary approval of Social Media Access Requests before they are submitted to the Communications Department.
- Consult with the Office of Metro Attorney before disciplining an employee for personal social media use.

Communications Department:

- Approve or deny Social Media Access Requests.
- In consultation with the Office of Metro Attorney, provide guidance to social media users and moderators as needed.

References

Record Retention Policy: Executive Order No. 91
Oregon public records laws, ORS 192.001 *et seq.*
Oregon restrictions on political campaigning by public employees, ORS 260.432.

Attachment

Social Media Access Request Form and Policy Compliance Agreement

Attachment

Social Media Access Request Form and Policy Compliance Agreement

Employee Information:

Full Name: _____ System Login: _____
Employee Number: _____ Department: _____
Title: _____ Supervisor Name: _____
Phone Extension: _____

Employee Acknowledgement: I understand and will follow the rules for conduct established in Metro’s Network Access Policy, Social Media Policy and all other relevant Metro policies. Failure to abide by these policies will subject me to discipline in accordance with Metro personnel policies and any applicable Collective Bargaining Agreement. (Access these policies on the Intramet Human Resources Page.)

Employee name: _____ Signature: _____ Date: _____

Communications Director Approval

This request was approved by the Communications Director.

Director and Supervisor or Designee Endorsement

I am hereby requesting that the employee named above be given access to the requested social media site on the below business justifications.

Director: _____ Signature: _____ Date: _____
Supervisor: _____ Signature: _____ Date: _____

Business Justifications and Work Plan for Social Media Use

- a) What type of social media and specific platform do you plan to use?
- b) What is the business need and justification for this media site?
- c) What is the purpose of this communication?
- d) Who is the targeted audience?
- e) Will this be a one-time use or ongoing?
- f) What is the fiscal impact of adding this media site?
- g) Are public comments to be allowed or authentically facilitated?

1. If public comments are allowed or authentically facilitated, the website must include, in a prominent location, the Metro Comment Policy and disclaimer of limited public forum. All Metro employees with posting authority must read and consistently comply with the Comment Policy and limited public forum disclaimer.

h) What email address will be used for establishing the account/site?

_____@oregonmetro.gov

i) Name of the employee(s) that plans to:

1. Author content:
2. Proofread content:
3. Post content:
4. Respond to comments in a timely manner, if necessary:
5. Moderate comments for compliance with Comment Policy:
6. Maintain record retention to comply with retention schedule:

j) What Metro "voice" is desired? Will a user of this social media channel be speaking as an individual, as a department or facility, or on behalf of Metro as a whole?

k) Will posts include unique information or will they direct users to find information on the Metro or Venue website?

l) What is the anticipated number of hours per week required for this project?

m) Do you commit to using the latest browser and installing all security patches to maintain network integrity?

n) Have the individuals named on this form been trained on the appropriate and effective use of social media to meet Metro's goals?

1. Who gave the training? [Communications/OMA/Other:_____]

2. Date and location of training: _____