

County of Cumberland Board of County Commissioners	Policy Number: 3.14	Pages: 1 of 4
Chapter: Personnel Actions		Effective Date: September 22, 2020
Subject: Social Media		

I. POLICY:

This policy is intended to address issues related to an employee’s use of “social networking” and “social media,” to the extent that such use involves or affects the County’s operations. The County of Cumberland recognizes and respects the rights of employees to engage in their own personal activities while not working. This policy is intended to help employees engage in respectful, knowledgeable interaction in social media and also protect the privacy, confidentiality, and interests of the County of Cumberland, employees, volunteers, contract staff, vendors, customers, and residents with whom they have a work-based relationship. This policy is not intended to violate any speech or associational rights that are protected under the United States Constitution, the New Jersey State Constitution, or statutory provisions such as the Employer-Employee Relations Act and the Conscientious Employee Protection Act. For example, employees have a First Amendment right to speak as citizens on matters of public concern regarding County policies or officials, provided their speech does not disrupt County Operations. In addition, employees have the right to discuss working conditions, grievances, and union representation, provided again that County operations are not disrupted. All use of Social Media on Cumberland County information assets will also be subject to the policies set forth in the County of Cumberland Computer Access Rules of Behavior and Acceptable Use Policy.

II. DEFINITIONS:

- A. Information Asset: An information asset is any data, Internet access, electronic mail (Email), device, or other component of an information or communications system. Assets generally include hardware (e.g. servers, laptop and desktop computers, switches), software (e.g. commercial off the shelf and custom developed applications and support systems) and information. Assets may also be referred to as information resources or systems.
- B. Social Media: A computer-based technology that facilitates the sharing of ideas, thoughts, and information through the building of virtual networks and communities. By design, social media is internet-based and gives users quick electronic communication of content. Content includes personal information, documents, videos, and photos. Users engage with social media via computer, tablet, or smartphone via web-based software or web application, often utilizing it for messaging.

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III. PROCEDURE:

A. Employees' use of social media should be respectful to co-workers, contract staff, vendors, and residents with who they have a work-based relationship.

B. The County of Cumberland's general polices of prohibiting harassment, discrimination, and all other policies and procedures extend to all forms of communication, including social media.

C. The County recognizes its employees' rights to express themselves as private citizens on social media sites with regard to matters of public concern. The use of social media to harass, threaten, libel, or discriminate against employees, vendors, customers, or residents with whom there is a work-based relationship will not be tolerated. Employees who believe they have been harassed or otherwise discriminated against by a co-worker via social media are encouraged to address such complaints to management. These complaints may be requested to be placed in written form.

D. Except in emergency situations or as part of their officially assigned or regular or permitted duties, employees while on duty are prohibited from taking, releasing, or disclosing any photographs, pictures, digital images or audio recordings of any crime scenes, motor vehicle accidents, accident victims, arrestees, detainees, or the like with any personal analog or digital device, camera, imaging device, audio recorder or cellular telephone.

E. Employees should be aware that such photographs, images or recording taken with any personal device pursuant to this section may be considered evidence and are subject to applicable laws, code guideline or directive concerning storage release and disposal. Employees who have recorded any photographs, images, or recordings with any personal device shall notify their supervisor as soon as practical. For the purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes, and flights from accidents or crimes.

F. Employees shall not provide links to any of the County of Cumberland's internal internet material in any non-work-related social media.

G. Employees shall not reference the County of Cumberland's provided e-mail accounts as a point of contact in any social media, unless so authorized.

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H. The County of Cumberland requests and encourages all employees to bring work-related social media complaints to their Supervisor, Department Head, or County Administration in order to provide the County of Cumberland with a fair opportunity to address any such complaints or concerns.

I. Violations of this policy may subject an employee to disciplinary action up to and including discharge from employment. Employees must recognize that they may be legally liable for postings they make in social media.

J. As delineated in the Cumberland County Acceptable Use Policy (4.23(c)(d)(i)(j)) Employees are prohibited from (extending to the use of Social Media on County Information Assets, i.e., including by way of example and not limitation County computers or phones):

- a. Accessing, transmitting, storing, or creating any discriminatory, defamatory, offensive, disruptive or otherwise inappropriate content including, but not limited to: Social Media sites that contain sexually suggestive images or content, racial slurs, gender specific comments, or any other comments that inappropriately or unprofessionally address someone's age, race, gender, color, national origin, religion, sexual orientation, disability, or veteran status on County Information Assets;
- b. Creating, sending, or forwarding any discriminatory, defamatory, offensive, disruptive or otherwise inappropriate communications. Among those communications considered inappropriate are any communications or materials that contain sexually suggestive images or content, racial slurs, gender specific comments, or any other comments that inappropriately or unprofessionally address someone's age, race, gender, color, national origin, religion, sexual orientation, disability, or veteran status on County Information Assets;
- c. Establishing new Internet web and/or social media pages or content dealing with County business, or make modifications to existing pages or content dealing with County business without authorization on County Information Assets; and
- d. Transmitting, storing, processing, or sharing sensitive County information using personal or other unauthorized Internet services including but not limited to: personal email accounts, social media accounts, chat services, file storage, file synchronization, file sharing, and other unauthorized services on County Information Assets.

K. An employee's use of social media is outside the scope of employment and is not a representation of authorized communication of any kind on behalf of the County of

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Cumberland, unless the employee has the approval of management to participate in social media on behalf of the County of Cumberland. In using social media in a non-work related setting, employees shall neither express or imply that they are:

- Speaking or acting on behalf of the County of Cumberland
- Representing or presenting the interests of the County of Cumberland