

RESOLUTION NO. 19-48

A RESOLUTION OF THE DRAPER CITY COUNCIL ADOPTING SECTION 6031 – SOCIAL MEDIA, AS PART OF THE DRAPER CITY PERSONNEL POLICY MANUAL.

WHEREAS, The City Council, from time to time, reviews and adopts policies and procedures to assist in the efficient utilization of scarce City resources and the fair and uniform application of requirements and benefits to City employees; and

WHEREAS, The City Council has reviewed the proposed social media policy and has determined the need to provide guidelines for employee use of social media; and

WHEREAS, The City Council believes these changes to the Personnel Policy Manual is in the best interest of the employees of Draper City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Adoption. The Draper City Council does hereby adopt Section 6031- Social Media as part of Draper City Personnel Policy as attached hereto as Exhibit “A”.

Section 2. Applicability. This Resolution does not apply to elected officials.

Section 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 6th DAY OF AUGUST, 2019.

DRAPER CITY



Mayor Troy K. Walker

ATTEST:



Laura Oscarson, City Recorder



VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember Lowery

Councilmember Summerhays

Councilmember Vawdrey

Councilmember Weeks

Mayor Walker

EXHIBIT "A"

Section 6031 – Social Media

This policy is not meant to restrict an employee's ability or opportunity to speak as a private citizen on matters of public concern. However, as individuals employed by a government entity, city employees may be held to a higher standard in their conduct and speech. As a city employee, your conduct has the potential to reflect upon the city itself.

1. **In general.** Social Media refers to internet-based platforms that allow individuals to communicate or send information electronically and may allow peer-to-peer communication or messaging. For purposes of this policy, the term "Social Media" includes, but is not limited to, internet or electronic forums including: social networking sites, blogs, chatrooms or comment boards, websites, and online reviews of products or services.
2. **Types of Communication.** Social Media can include written information, audio or video, pictures, illustrations and other verbal, visual and auditory media. This policy governs communication through Social Media and other internet-based platforms, whether or not an employee considers the communication "private."
3. **City Policies.** Employees are prohibited from communicating on Social Media any confidential, proprietary, or non-public information obtained in the course and scope of employment with the city. All information posted on Social Media should comply with city policies, including, but not limited to, policies on confidentiality, non-disclosure, harassment, discrimination, and communication and information systems.
4. **Safety.** When posting on Social Media, employees should avoid topics that may compromise the safety or health of other employees or city officials, or disclose confidential personal information. Employees that post information that jeopardizes the safety or health of a city employee or official may be subject to disciplinary action.
5. **Communication as a City Employee.** Employees should not communicate on social media in their role as a city employee, or acting pursuant to that role, without prior written authorization from their Department Director, or the City Manager or designee. Employees are prohibited from communicating the city logo, symbol, letterhead or a trademark in use by the city without first receiving written consent from the City Manager or the City Manager's designee.
6. **Effect of Communication on City.** Employees should also be aware that even when posting as an individual, and not as a city employee, their communication could be interpreted as coming from the city.
 - a. Employees shall not give information, advice or guidance in such a way that it may appear that the employee is doing so in their role as a city employee.
 - b. Communications that have a disruptive effect on City operations, work environment, coworker interaction or business, and which do not address a matter of public concern, may be grounds for disciplinary action, even if the employee does not identify themselves as a city employee.
 - c. Any Social Media communications by an employee about the city or its employees which the employee knows to be untrue, or made in reckless disregard of the truth, may be grounds for disciplinary action.
7. **Disclaimers.** In order to avoid the appearance of speaking on behalf of the city, city employees shall include a clear disclaimer that the communication is solely the opinion of the individual, and does not reflect the view, opinion, or philosophy of the city, its elected officials, employees, or agents.

While employees are free to support political causes or candidates in their individual capacity, in their official capacity as a city employee they must not support or endorse specific candidates, parties, causes or other political matters. City employees shall utilize a clear disclaimer, as directed above, for all political communications.

8. **Personal Use of Social Media at Work.** In accordance with section 6030.5.E, employee personal use of Social Media during active work time shall be limited and purely incidental. As stated in section 6030.6, employees should not use city-issued or provided computers, tablets, cell phones, or other electronic devices for personal communications on Social Media.
9. **Monitoring.** Employees' use of the internet and city electronic devices is subject to city policy section 6030 – Communication and Information Systems. Furthermore, employees must not have any expectation of privacy while participating in Social Media using city devices, as other parties, including the City, may have access to those communications.
10. **Reporting Concerns.** If an employee has a question about communications on Social Media, or would like permission to communicate certain information on Social Media, the employee should contact their Department Director.
11. **Public Safety Addendum.** Please see specific policies in the Police Department and Fire Department Policies Manuals for additional provisions pertaining to public safety employees' use of Social Media.
12. **Disciplinary Action.** Employees who violate the Social Media policy may be subject to corrective action, up to and including termination.