



## Guidelines, Best Practices and Policy

For

### Social Media Use for The Town of Pecos City

(Previously Known as Social Media Policy Adopted by Resolution 20-01-07R January 23, 2020)

These guidelines were developed from previous experiences, from other cities and organizations such as city of Mission, City of Seabrook, City of Houston, State Bar of Texas "Employee Free Speech"

## Preface:

The nature of social media sites that are used as a means of sharing information to the general public or ideas makes it safe to say that we can rule out its characterization as a nonpublic forum. But the question of whether the social media page of a government entity is a designated public forum is an open question. A designate public forum is a forum, like a City Council Chamber, that a city has created or opened for us by the public as a space for expressive activity. A nonpublic forum is public property that is not by tradition or designation a forum for public communication, like a jail or airport terminal.<sup>i</sup>

The U.S. Supreme Court has also held that a governmental entity may create a forum that is not traditionally open to the public but has been opened by the governmental body for limited use by certain groups or for discussion of certain subjects. In the case of *Pleasant Grove City, UT v Summum*, 129 S.Ct. 1125, 1127 (2009), city *Perry*, 460 U.S. at 46 n.7. This type of location is known as a “limited” or “designated public forum” Similar to a public forum, a city may impose restrictions on speech in such a forum, so long as those restrictions are reasonable and content-neutral. *Pleasant Grove*, 129 S.Ct at 1127, citing *Good News Club v. Milford Central School*, 533 U.S. 98, 106-107 (2001). A city theater or city-owned meeting space that is rented out to organizations could qualify as limited public forum, thus, a city could limit the use of these spaces to certain types of organizations, so long as the restrictions were not based on the viewpoint of the organization. Some property owned by a City may be designated as “non-public,” or not open for public speech. In such a form, a city may base restrictions on speech and use of the property based on subject matter and the identity of the speaker, so long as the restrictions are reasonable and content-neutral. *Good News Club*, 533 U.S. at 131, citing *Cornelius*, 473 U.S. at 806. It could be argued that the administrative offices of a City Hall that are not open to the public could be designated as a non-public forum, and thus a city could enact more restrictive policies regarding public speech.<sup>ii</sup>

While the First Amendment binds both state and federal governments, its protective reach does not extend to all government employee speech. Instead, government employers can limit employee speech when necessary to effectively and efficiently carry out their public functions. The Supreme Court established the test for whether government employee speech is subject to First Amendment protection in *Pickering v. Board of Education*. The “*Pickering balancing test*” first asks “whether the public employee spoke as a citizen on a matter of public concern.” Unless this first prong is satisfied, “the employee has not First Amendment cause of action based on the employer’s reaction to the speech. But if the employee demonstrates that they were speaking as a citizen on a matter of public concern, then the burden shifts to the governmental employer to present “an adequate justification for treating the employee differently from any other member of the general public.” Public employee speech as a citizen on a matter of public concern “may be restricted only if ‘the interest of the state, as an employer, in promoting the efficiency of the public services it performs through its employees’ outweighs ‘the interest of the state, as an employer, in promoting the efficiency of the public services it performs through its employees’ outweighs the interests of the [employee], as a citizen, in commenting upon matters of public concern.’” The court’s “precedent in the public-employee context therefore establishes two main principles: First, although government employees do not lose their constitutional rights when they accept their positions, those rights must be balanced against the realities of the employment context. Second, in striking the appropriate balance,” courts “consider the basic concerns of the relevant constitutional provision, or whether the claimed right can more readily give way to the requirements of the government as employer.”<sup>iii</sup>

## 1. Purpose:

1.1 To convey information from the City to its citizens, to facilitate a sense of community and for stakeholders to communicate with and obtain information about the Town of Pecos City in an online platform. Town of Pecos City may use social media tools such as Facebook, Twitter and YouTube to reach a broader audience and to encourage citizen participation. **The City website [www.pecostx.gov](http://www.pecostx.gov) will remain the primary avenue for release of information.**

1.2 This document provides guidelines, best practices and policies for the use and posting on social media sites by internal or external means. Violations of this policy shall be considered misconduct and may result in discipline.

1.3 Additionally, the City recognizes that many City employees use social media tools in their personal lives. Therefore, this document provides guidelines for employees and private citizens when they communicate on City social media sites.

1.4 These guidelines are to assist City employees who will use social media as a communication tool to encourage social media use between the City, and its citizens and or all stakeholders. Given the evolving nature of social media, this document will be reviewed and updated periodically as technologies or laws evolve.

1.5 City social media sites may contain information that represents or appears to represent the City's position on policy issues or other matters affecting City business and/or the positions on the City's leaders. Thus, the Communication Engagement Team has general oversight of all City social media sites with final authority coming from the City Manager. In disaster or emergency situations, City Manager may assume control of City social media to ensure that communications are managed appropriately or duties may be entrusted to a member of the Community Engagement Team and follow procedures set forth in the Town of Pecos City Communication Plan

1.6 The Town of Pecos City has a legitimate government interest in effective, efficient and consistent communications with the public. Town of Pecos City also strives to have a productive workplace. Certain activities on the part of its personnel may become a problem if such activities could:

- \* impair the work of any City Official or employee: create a harassing, demeaning or hostile work environment; or
- \* disrupt the smooth and orderly work flow of work; or harm the goodwill and reputation of the City among its citizens or in the community.

Under this policy, the Town of Pecos City disavows, and is not responsible for any sites, posts, opinions or content not coordinated through and approved by the Community Engagement Team or approval from the City Manager.

- a. If City staff posts data purporting to be on behalf of the City while using a social media site without the prior approval of the Community Engagement Team, the Town of Pecos City is not responsible for said posted content, such content is not to be construed as reflecting the views or opinions of the Mayor, City Council or City Staff and such action may be grounds for disciplinary action.
- b. The absence of explicit reference therein to a particular site does not limit the extent of the application of these policies. If any City Staff is uncertain, he/she must consult with the Community Engagement Team or supervisor before proceeding.
- c. Any hyperlinks posted on a City-sanctioned social media site shall be accompanied by the following disclaimer: "The City guarantees neither the authenticity, accuracy, appropriateness nor security of the link, website or content linked thereto.

## 2. Objective:

2.1 To maintain the integrity of the City's presence in social media and to ensure that social media and all digital communication platforms are used appropriately and within City guidelines and policies.

2.2 Town of Pecos City encourages the use of social media to advance the goals of the City and the missions of its departments, where appropriate.

## 3. Definitions

**City Social Media Sites** – Those pages, sections or posting locations in social media websites established or maintained by an employee of the City authorized to do so as part of the employee's job and that are used to communicate with the public on City business.

**Social Media** – Internet-based technology communication tools with a focus on immediacy, interactivity, user participation and information sharing. These venues include social networking sites, forums, weblogs (blogs, vlogs, microblogs), online chat sites and video/photo posting sites or any other such similar output or format. Examples include Facebook, Twitter, and YouTube.

## 4. Scope

4.1 This directive applies to all City employees, including contract employees, volunteers, elected and appointed officers, officials and to all members of City boards and commissions who utilize any social media directly or indirectly on behalf of the City. These guidelines also apply to all Town of Pecos City personnel who personally utilize any social media or other Internet activity that may impact the City's credibility, reputation, employee morale, services or goals of the Town of Pecos City.

4.2 These guidelines apply without regard to whether the use of social media occurs during working or non-working time, or on duty or off duty use. Similarly, the guidelines apply regardless whether City equipment or City time is used.

4.3 City staff or authorized employees responsible for developing, maintaining and monitoring social media applications shall be designated by the City Manager. The City Manager shall be the final authority on content published to social media applications if not able to get approval from a member of the Community Engagement Team.

4.4 Employees assigned to maintain City social media sites shall adhere to the guidelines set forth in this document. Employees shall not work on City social media sites during off-duty hours unless specifically pre-approved to do so in writing. Employees may at times use non-City owned devices to add content, respond, etc..... to City owned social media sites. Employees designated to do this must take into account the risk of surrendering personal devices if such need arises in litigation. Employees designated to respond or give feedback to comments, messages, etc..... will only respond from 9:00 am to 4:00 pm. Authorization from City Manager to respond outside of these hours will require permission in email format using the City's email account assigned to the employee.

## 5. Record Retention

5.1 Records Retention. Pursuant to Section 441.158 of the Texas Government Code, the Texas State Library and Archives Commission promulgates records retention schedules for records of local governments. Each City department has a schedule and policy for retention of its records. The retention period for a record depends on the content of that record, regardless of the medium in which it is maintained. Departments maintaining a City social media site or using social media tools shall preserve records on a City server for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Further, departments will destroy, transfer, or otherwise dispose of records in accordance with records disposition schedules.

5.2 Open Records. Town of Pecos City social media sites are subject to the Texas Public Information Act

## 6. Whistleblower Protection

<sup>iv</sup>State law can impose additional protections on public employee speech. In Texas, the Whistleblower Act <sup>v</sup> prohibits adverse employment action against state and local government employees who make a good faith report of a violation of law by their employer or a co-worker to an appropriate law enforcement authority.

Prevailing on a claim under Texas' Whistleblower Act requires a considerable showing. Indeed, it is sufficient for a plaintiff to make a good faith report of a violation of law. To be protected under the act, the employee must also have a good faith belief that the entity reported to has authority to enforce the law allegedly being violated, or to investigate or prosecute suspected criminal acts.

### **Filing a Whistleblower or retaliation claim in Texas:<sup>vi</sup>**

An employee may file a wrongful discharge lawsuit in an appropriate court. The lawsuit must be filed within **2 years** of the retaliatory action, unless otherwise specified by statute. If you believe you have a claim, you should contact a lawyer.

An Employee may file a written complaint with the Texas Workforce Commission, Civil Rights Division. The complaint must be filed within **180 days** of the retaliatory action. The commission will investigate your claim and may pursue legal action on your behalf. Alternatively, an employee may file a lawsuit in an appropriate court. An employee who chooses to pursue a lawsuit cannot pursue a claim with the commission. If you believe you have a claim, you should contact the commission or a lawyer immediately.

You can file a complaint in person at 1117 Trinity Street, Room 144T, Austin Texas, between the hours of 8:00 am and 5:00 pm. Also, you can file a complaint by phone at (512) 463-2642 or 1-888-452-4778.

An employee may file a lawsuit in an appropriate court. An employee may be entitled to reinstatement, lost wages and reinstatement of benefits. If you believe you have a claim, you should contact a lawyer.

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**Town of Pecos City**  
**Social Media Policy Guidelines**  
**Public Facing**  
**(will be published on public viewing sections)**

**Town of Pecos City Social Media Policy**

**(to be published on social media, website and all digital platforms for public review)**

**Terms of Use**

**Town of Pecos City Social Media Policy:**

**“Social Media Account”** shall mean any of the Town of Pecos City’s accounts or online services that allow for interaction with City Residents and other stakeholders, including, but not limited to, Twitter, Facebook, YouTube, Snapchat, Instagram and LinkedIn, etc... These accounts are **LIMITED PUBLIC FORUMS**, are not available general public discourse, but rather reserves and limits the topics that may be discussed.

Town of Pecos City aims to promote effective communication and maintain a courteous dialogue. In that spirit, the rules for posting external comments on any official Town of Pecos City social networking site or digital media will maintain a productive forum for community discussion. Our moderators that consist of the Town of Pecos City Community Engagement Team, shall use these rules to ensure that all posted comments are constructive and are appropriate for all participants, while making sure to respect a wide range of opinions.

**A. Posted Comments MUST comply with the following:**

- 1. Comments and posts must be civil and may not contain libelous, slanderous, offensive, threatening, profane, malicious, or insulting language.**

2. References to the personality of individuals or personal attacks are not permitted.
3. Abusive or fake profiles/accounts are prohibited.
4. Advertising, business or promotional announcements are not permitted.
5. Comments and posts must be within the scope of the topic under discussion.
6. Participants are accountable for what they post. Comments must not breach any law, confidentiality or copyright.
7. Comments and posts cannot serve electoral campaign purposes. Political messages will not be published.
8. Comments and posts cannot include personally identifiable information, such as an address, phone number, social security number or other sensitive information.
9. Comments and posts cannot represent a person other than the one posting the comment.
10. Comments and posts containing links to other web sites or pages must be relevant to the topic.
11. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status with regard to public assistance, national origin, physical or mental disability or sexual orientation is not permitted.
12. Comments and posts must not include sexual content or links to sexual content.

- 13. Solicitations of commerce are not allowed.**
- 14. Information which may interfere with or compromise current investigations, police tactics and the safety or security of public safety staff and/or the public or public systems prohibited.**
- 15. Conduct or encouragement of illegal activity is not allowed.**
- 16. Distribution of copyrighted photographs, music, video, graphics or other content without the express permission of the copyright holder is prohibited.**

**B. Content Restrictions**

Because communication via social media constitutes a LIMITED PUBLIC FORUM, the city reserves the right to reject or remove (if possible) any content that is deemed in violation of this policy or any applicable law.

**C. Content Removal**

Content that is deemed not suitable for posting by the administrators of City's social media accounts (mainly a member of the Community Engagement Team) based on the criteria defined above in Section "A", will then be removed, as technology allows, from the City's social media account(s).

**D. Notice**

Users and visitors to the City's social media accounts shall be notified that the intended purpose of the account is to serve as a mechanism for communication of City news, services and events and that defines it as a Limited Public Forum. By Posting or commenting,

**users agree to the terms of use outlined in this policy, which will be posted to the city's website and linked to, as technology allows, from each of the City's social media accounts.**

**E. Time of Use**

**The Town of Pecos City's social media accounts are not monitored actively 24/7, and as such, posts and responses should not be immediately expected if a response is deemed appropriate. Accounts are traditionally monitored during normal business hours, designated as weekdays from 8 a.m. to 5 p.m., excluding holidays. Monitoring outside of this scope of time shall be at the sole discretion of the members of the Community Engagement Team or IT Director.**

**F. Emergency Notice**

**As the City's social media accounts are not monitored 24/7, users are advised NOT to use the City's social media accounts to report a crime or emergency situation. Crime reports and requests for Police, fire or emergency medical assistance must be made by dialing 9-1-1.**

**G. Opinions**

**The opinions expressed on Town of Pecos City's social media sites and those providing comments are theirs alone and do not reflect the opinions of the Town of Pecos City or any employee thereof. Comments and posts by external parties on Town of Pecos City digital media or social networking sites are not official public testimony concerning any program or project. An opinion expressed on a Town of Pecos City digital media or social networking site is posted for discussion only and is not a substitute for a formal statement in a public hearing process. A member who posts comments contrary to the terms of use policy may be prohibited from future participation. The Town of Pecos City reserves the right to update the Terms of Use as sees fit to do so.**

#### **H. Trolls/Trolling**

**A Troll is internet slang for a person who intentionally tries to instigate conflict, hostility or arguments in an online social community platform. Trolls often use inflammatory messages to provoke emotional responses out of people disrupting otherwise civil discussion. Town of Pecos City will not tolerate those that are deemed “Trolls” or are “Trolling” on any digital platform owned by the City. Resolutions to those persons involved in Trolling are outlined in this document.**

# **Town of Pecos City**

## **Social Media Guidelines**

### **Internal Use by Employees**

#### **1. Guidelines**

These guidelines and policies are intended to assist city employees who will use social media as a communication tool to encourage social media use between the Town of Pecos City, and its citizens, businesses and all stakeholders. Given the evolving nature of social media, this document will be reviewed and updated periodically as technologies or law evolve.

#### **2. Purpose**

Social media offers Town of Pecos City employees the opportunity to interact with the public in new, exciting ways that facilitate transparency, interactivity and collaboration. These tools engage audiences differently than traditional media and enhance communication strategies.

The Town of Pecos City encourages the use of social media to advance the goals of the city when it comes down to the mission of the different departments, where appropriate.

The purpose of this guideline/policy is to assist the employees of the Town of Pecos City on how to effectively and responsibly navigate issues unique to social media. This includes the management and development of social media tools, content, restrictions and limitations.

The definition of social media is web-based applications that facilitate information sharing and collaboration such as web-based communities, social networking sites, video-sharing sites, wikis, blogs and others.

Town of Pecos City staff or officially authorized employees for developing, maintaining and monitoring social media applications shall be the responsibility of the Community Engagement Team, IT Director or personnel authorized by the City Manager.

### **3. Applicability**

These enclosed policies and guidelines are to be applicable to **ALL** Town of Pecos City employees, elected and appointed officers, city officials and to all members of City Boards and Commissions who utilize any social media directly or indirectly on behalf of the City. This policy also applies to all Town of Pecos City personnel who personally utilize any social media or other Internet activity that may impact the City's credibility, reputation, employee morale, services or goals or mission of the Town of Pecos City.

These guidelines apply without regard to whether the use of social media occurs during working or non-working hours or on duty or off duty use. Regardless, this policy applies regardless whether city equipment or city time is used or not.

### **4. Acceptable Uses and Restrictions**

The best and most appropriate uses of social media for the Town of Pecos City will generally fall into these categories:

- **As a channel to disseminating time-sensitive information as quickly as possible to the general public.**
- **As a mechanism for communication between the Town of Pecos City and members of the public, and more directly its residents, businesses and stakeholders.**
- **To receive feedback on programs, seminars, etc.....**
- **Communicating events and other programs sponsored by or co-sponsored/affiliated with the Town of Pecos City**
- **Release of other information pertinent to keep citizens informed**

City Staff representing the Town of Pecos City on City social media sites and applications in the course of their assigned duties and responsibilities are bound by the existing City policies and standards, including but are not limited to:

- Applicable state, federal and local laws, regulations, ordinances, charter provisions and City policies, (E.g. Title VII, nondiscrimination, harassment, etc.)
- All information and technology security guidelines, procedures and policies.
- Existing City standards of conduct, ethics, rules and policies.
- The Texas Public Information Act and e-discovery laws and policies (requiring content to be managed, stored and retrieved and open to public inspection and disclosure).
- Applicable state records-retention laws and City schedules of retention.

## **5. Personal Responsibility**

All City-related communication through social media applications should remain professional in nature and should be conducted in accordance with the City's communication plan and the Town of Pecos City Guidelines, Best Practice and Policy document. Employees are expected to use good judgement and take personal and professional responsibility for any content they publish via social media.

All employees who use social media applications must:

### **Authorization**

Not access social media sites or other online forums on behalf of the City unless authorized by Community Engagement Team, IT Director, HR Director, City Manager.

### **Identify Yourself Clearly**

When creating or using social media accounts that require individual identification, authorized users speaking on behalf of the City should identify themselves, if possible, by: 1) full name; 2) title; 3) department; and 4) contact information, when posting or

exchanging information on social media forums. Unauthorized use of an authorized employee's identification or access credentials/information is a violation of this policy and will be subject to disciplinary action.

### **Social Media Engagement**

- Administrators of City owned social media sites will maintain transparency by using their real name;
- Employees outside of the Community Engagement Administrative Team are to not add additional information to an official Town of Pecos City social media post or to provide a negative opinion on the subject matter;
- Employees outside of the Community Engagement Team will adhere to only promoting the post in a positive fashion by sharing the post on their personal social media account;
- **Only** the Community Engagement Team will respond to community comments on any posts created by the Town of Pecos City on its official social media sites in a timely manner and will be responded only during business hours. Business hours are defined as Monday – Friday, 8:00 am – 5:00 pm excluding holidays.
- A City employee is to **NEVER** be involved in an argument with a citizen on a City maintained social media site;
- The official Town of Pecos City social media sites postings will not violate the City's privacy, confidentiality and applicable legal guidelines for external communication;
- Employees are to **NEVER** comment on personal posts on anything related to legal matter, litigation, or any parties with whom the City may be in litigation without the appropriate approval;
- Employees are not to imply or state that they are representing the City when posting comments or materials on the personal social media account. All official communications and representations are to occur solely through City-approved social media outlets;
- Town of Pecos City Community Engagement Team will ensure to have the rights to publish others' materials, including photos and articles pulled from other sites. Community Engagement Team will respect brand, trademark, copyright, fair use, disclosure of processes and methodologies, confidentiality and financial disclosure laws. Even when using material from copy-right sources, include appropriate attributions.
- Employees wanting to share or post information pertaining to their department will consult with department supervisor. If post includes pictures or videos, a media release form will have to be signed before picture or video is to be posted.

Copy of release form will be kept with Please see appendix for copy of Release of Media form. Department Supervisor will fill out request from and provided the needed information for a member of the Community Engagement Team to approve and post information on official social media site and webpage. If not approved, member of the Community Engagement Team will provide a written statement of why post was not approved for posting and provide tasks (if any) to correct for approval. City Manager my overwrite Team decision. Before submitting, make sure if post includes pictures that a signature has been obtained before submitting request.

### **No Privacy Expectation**

Employees should have no expectation of privacy as to information stored on city computers, networks, databases or devices. Furthermore, there should be no expectation of privacy regarding any communications between City employee and the public when the employee is in course and scope of performing his/her assigned duties.

### **Authorized Use**

Only authorized City employees may moderate City developed social media applications and sites on behalf of the City. Authorized employees must support the City's mission and goals in doing so.

### **Communication Quality**

Authorized employees should use good judgement and accuracy in all City social media communications. Errors and omissions reflect poorly on the Town of Pecos City and my result in liability for the City. In addition to the Professional Responsibilities listed above, authorized City Staff should refrain from any social media activity that is inconsistent with, or that reasonably could be expected to negatively impact the Town of Pecos City's reputation or standing in the community. Employees are cautioned to be respectful and professional to everyone, including fellow personnel, organizations, residents and businesses.

When drafting a communication, please make sure it:

- Has a clear purpose
- Speaks well to the reader
- Is clear and concise without unnecessary verbiage
- Provides clear value to the reader
- Uses proper spelling, grammar, syntax and punctuation
- Is positive and informative
- Offers links, pictures or references opportunities for more information, where reasonable
- Has benefit to both the city and public

In addition to the suggestions above, best practices on how to be a good citizen of the social media environment include:

#### **Be responsible**

All statements made about the City in any social media site, whether personal, private or official, reflect upon the City, its employees, services, elected City officials. Each employee will be held accountable for all posts made officially in City social media sites or personally on City social media sites or in personal social media sites. Once published, a communication can never be totally eliminated from the web, even if withdrawn. Defamatory or disparaging statements about the City, its agents, employees or services made on personal or private social media sites are no less a reflection on the City and serve as a basis for lack of accountability against any employee who violated these guidelines.

#### **Be honest and transparent**

Dishonesty, deceit and untruthfulness are quickly noted in the social media environment and have a deleterious effect on the City. Therefore, all representations made on City media sites must be clear, accurate, complete, thorough and truthful.

#### **Correct errors quickly**

Any mistakes should be admitted as directly as feasible. Omissions, misleading entries or misrepresentations must be corrected as soon as they are recognized or brought to the

City's attention. Correct information will be quickly provided with appropriate modifications and disclaimers, if necessary or helpful to clear up any misunderstanding or confusion.

#### **Be respectful of the reader and the audience**

Social media publications should **ONLY** be made when the City and/or public would benefit by the publication. Value must be added to the posting. Communications from the City should assist the public and build a co-beneficial relationship and rapport with the City and its stakeholders. This could include, among other things, thought provoking articles that build a sense of community, improve knowledge or skills, enhance business development, enable problem solving, increase awareness of city sources, resources and encourage mutually beneficial platforms for employees to provide better, more efficient city services.

#### **Stay within your area of expertise or authority**

All information posted on City sites must be authorized and appropriate. Employees should only publish information within their own area of expertise and not speculate, guess or assert personal opinion or commentary unless approval is authorized by City Administration Staff.

#### **Respect proprietary information, content, privacy and confidentiality**

For any non-original work, proper credit must be attributed. No copyrights, trademarks, trade secrets or other proprietary matter may be published without prior written approval, licenses obtained, permits and fees paid and/or proper attribution made within the publication itself. Links may be referenced to others' work rather than reproducing it on the City site. Employees' or city officials' names and/or likeness may be used only with permission from such person to post on the site. A signed medial release form must be obtained from the staff, official, citizen, etc... in order to be published. All publications that include City intellectual property of any kind must be safeguarded with appropriate disclaimers and notices to prohibit the unauthorized use or performance of such proprietary matters.

#### **Respond quickly**

All communications requiring a reply shall be made in a timely manner in accordance with guidelines set forth in this document.

### **Be sociable, courteous and respectful**

In all communications, employees should use plain language and avoid using government jargon or acronyms. Use content that is open-ended and invites a response, or encourages comments. Responses should always be polite and respectful, even if the original response is not. When shortening works to maximize communication, utilize commonly used shorthand terms, letters and symbols.

### **Abide by social media rules**

Employees utilizing social media sites shall abide by the site's terms of service or terms of use. Before utilizing the site, each employee shall be acquainted with each site's terms and conditions of use or rules for services and follow them as directed. No employee is authorized to abuse a social media site and shall be accountable for any abuse, misuse or violations of such terms or rules of engagement.

### **Prioritize your participation**

Authorized employees shall use social media sites only as approved and should not linger longer than necessary. Duration of use shall be commensurate with job duties and responsibilities and only as long as necessary to complete City business.

## **Restrictions and Prohibitions**

Users and visitors to the Town of Pecos City social media sites/webpages will be notified that the intended purpose of the site is to serve as a mechanism for communication between the Town of Pecos City and the public in a Limited Public Forum. Although free speech and cross-communication is encouraged, there are certain topics and issues that are NOT allowed on Town of Pecos City social media sites comments, links and uploads. By way of example, these include, but are not limited to:

- Comments in support of or opposition or ballot measures
- Profane language or content. Abusive or disparaging comments directed at individual(s).
- Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status or lack thereof, socio-economic status of individual(s), national origin, physical or mental disability or sexual orientation.
- Sexual expression, discrimination, harassment or content of any kind or links to sexual content or pornography whether an adult, minor or child.
- Any expression of conduct or encouragement of illegal activity.
- Information that may tend to compromise the safety or security of the public or the City's public safety systems.
- Any expression of words that would disparage right, title or interest of a legal ownership of any other individual or business.
- Comments that do not pertain to the topic under discussion; including comments containing links to other websites or pages which are not relevant to the topic under discussion.
- References to or inappropriate characterizations of individuals including personal attacks upon any member of the public, City employee or City official.
- Advertising or promotional announcements of private or commercial enterprises, even if not for profit unless the City is co-sponsoring such activity or event. Only city business related advertising (services) or promotional announcement (special events) are allowed.
- Individually identifiable information (e.g. address, phone number and social security numbers) of specific individuals be they City employees, officials or members of the public.

The Town of Pecos City reserves the right to restrict or refuse to re-publish any content that is deemed in violation of these guidelines or any applicable federal, state or local law(s), including

the terms of service or terms of use outlined by third-party social media application providers. The Town of Pecos City reserves the right to block users who violate these terms

## **Monitoring**

Social media is an engaging medium and welcomes two-way and cross conversations, giving the Town of Pecos City the opportunity to receive and obtain comments and feedback from users regarding how the City is perceived, what it is doing right and what users think might be wrong or done more effectively or efficiently.

Monitors of all digital platforms will be members of the Community Engagement Team and IT Director. Monitors enforcing this policy and guidelines to ensure content and posted comments are suitable for all readers, while respecting the gamut of opinions and points of view.

Prohibited, negative and/or inappropriate comments from users are to be expected given the deeply felt passion some individuals express about topics close to their hearts. Unacceptable forms of communication should not become a worrisome issue or treated as a sign of failure in social media strategies and usages. Instead, such comments can be reformed into positive effects, indicating to the online community that the City is professional, engaged in a dialogue with its users and that is values theirs.

## **6. Security**

Town of Pecos City Staff needs to take every caution to prevent fraud or unauthorized access to social media application. In Almost every case where an attacker accesses a system without authorization, he/she does so with the intent to cause harm, including:

- Making unofficial posts, tweets or messages that will be seen by the public as official messages.
- Encouraging users to either click links or download unwanted applications that the attacker has added to the site.
- Accessing, compromising or disabling a city system.

- Redirecting users to sites that look like a city site but are used to gather data that could be used for unauthorized purposes (e.g. phishing)
- Using a compromised site to spread malware.
- Acquiring confidential information about city employees or citizens (e.g. social engineering).

## **How to mitigate security risks**

Security related to social media is fundamentally a behavioral issue, not typically a technology issue. In general, employees unwittingly providing information to third parties pose a risk to the city network. Employees need to be aware of current and emerging threats that they may face using social media sites and how to avoid falling prey. The following are best practices the Town of Pecos City will follow when using social media:

- A separate user ID and password must be used to access social media sites, NEVER use your City Network username and password.
- Social media username and passwords will reflect using the Community Engagement email and a standard password set by the Community Engagement Team that will only be let known to members of the team.
- Attend training and continually train about security awareness and risks when using social media.
- Privacy settings for all digital platforms are set appropriately.

## **7. Disclaimer**

These guidelines, policies and best practices are intended to supplement – not replace – the Town of Pecos City's Employee Handbook. If an issue is not specifically addressed in this policy, an issue often can be clarified by reference to other Town of Pecos City's policies. Similarly, conduct that violates this policy will be subject to the same action as set forth in City personnel policies and may be disciplined accordingly.

## **8. Questions, Comments and Concerns**

If, at any time, there is an uncertainty about how to apply these guidelines or questions arise regarding participation in social media, all employees are directed to seek the guidance of the Community Engagement Team, City Manager, HR Director. Social media is in a state of constant change and the Town of Pecos City recognizes that there will likely be events or issues that are not addressed in these guidelines. Therefore, the responsibility falls to each individual to use good judgement, and when in doubt, to ask for clarification or authorization before engaging in questionable online conduct. Any employee who observes questionable or inappropriate social media conduct or posts whether on City official sites or on personal or private sites that could be a violation of this policy or potentially negatively impact the Town of Pecos City, are directed to report this information to the City Manager, HR Director or a member of the Community Engagement Team.

## Guide to Typical Scenarios with Suggested Outcomes

### Identify the Type of Feedback

The first step in dealing with negative feedback is determining what type of comment has been received. Negative feedback comes in a few different forms, each of which is best dealt with by a different type of response.

#### **Constructive Criticism**

Many users will use social media to suggest ways in which the City can improve upon services. While this type of feedback may point out flaws or issues, it can be extremely helpful to receive.

#### **Merited Condemnation**

Essentially, the Town of Pecos City or one of its agents did something wrong, and someone is unhappy about it. Again, while this type of feedback is not positive, it can serve as a means to convey information regarding solutions being worked, results achieved and ways that issues have been resolved.

#### **Trolling/Spam**

Trolls and spammers will use a negative comment about the City, a political figure or provided service (whether true or false) to promote entity, person or service.

## **Determine Best Approaches for Response**

When responding to criticism, even the negative type, it is important to stay positive. Adding more negativity to the conversation or being drawn into a fight with a citizen or user will likely reflect poorly on the Town of Pecos City as an organization.

### **Constructive Criticism**

A response is almost certainly necessary. Regardless, if a real problem exists, steps should be taken to remedy the issue, therefore it is important communication occurs between the social media moderator and department handling the problem. Sometimes, this type of feedback is the result of a perceived problem rather than an actual problem (e.g. someone who doesn't like the method by which something was done). This type of complaint should be given a response, if only to say, "Thank you for bringing it to our attention, but here is why we have this procedure in place." Or "Thank you for bringing it to our attention, we are saddened you feel this way, and will report it to the proper City department to resolve the issue."

There will be times when the Town of Pecos City as an organization will not want to implement the suggestion given, however, trust will be built by responding to criticism with a positive message.

### **Merited Condemnation**

This can be a tougher issue to deal with, because comments are more likely to feel personal. It is important to keep in mind that this type of feedback, as harsh as it may be, has a basis in a real problem. It is best to respond promptly and with a positive tone (e.g. thank the user for the feedback and assure them that the steps are being taken to correct the issue or mitigate their problem).

### **Trolling/Spam**

This is the only category of negative feedback that does not require a response. In fact, it is almost always best not to respond to these messages. This type of feedback isn't really feedback at all. It is best to ignore this variety of feedback, and when appropriate, to remove it as soon as possible from the medium and/or report the user to appropriate application support. First offense: Town of Pecos City will remove the content and report the user to the platform support team. Second offense: Town of Pecos City will remove comment and advise person leaving comment they are violation organization's Terms of Use. Third offense: Town of Pecos City will remove comment and will consult with City Attorney to legally block user from social media platform.

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<sup>i</sup> "When Can My City Delete A Facebook Comment? (and other social media sites), Heather M. Lockhart, Assistant City Attorney for City of Austin

<sup>ii</sup> *Legal Q&A, By Lauren Ford Crawford, TML Legal Counsel, June 2009*

<sup>iii</sup> State Bar of Texas, First Amendment Law, "Employee Free Speech", Navigating Potential Legal Risks on Social Media, By: Anna Mackin

<sup>iv</sup> State Bar of Texas, First Amendment Law, "Employee Free Speech", Navigating Potential Legal Risks on Social Media, By: Anna Mackin

<sup>v</sup> Texas Government Code Section 554, Added by Act 1993 amended 1995

<sup>vi</sup> Workplace Fairness, "Filing a Whistleblower or Retaliation Claim – Texas,

<https://www.workplacefairness.org/whistleblower-retaliation-claim-TX#:Also%2cyou>