



# ALBANY COUNTY

## LAND BANK CORPORATION

### **SOCIAL MEDIA AND SOCIAL NETWORKING POLICY**

#### **I. PURPOSE**

This policy establishes procedures for the establishment and use by the Albany County Land Bank (“Land Bank”) and its employees of Internet resources commonly referred to as “social media sites” as a means of obtaining or conveying Land Bank information to and from its citizens in furtherance of various goals. The Land Bank has an overriding interest in obtaining reliable information from and in providing accurate and appropriate information on social media sites.

The purpose for use of social media sites is to obtain and disseminate information useful to and about the Land Bank. The Land Bank encourages the use of social media to further the goals of the Land Bank where appropriate, subject to the terms and conditions set forth in this social media policy.

#### **II. DEFINITIONS**

“Blogs or Blogging” includes any electronic medium, whether maintained by the employee or by some other person, in which the viewers express their views and opinions.

“Comment” means a response to a municipality posting or social media content or posting submitted by a commenter.

“Commenter” is a municipal employee or official or a member of the public who submits a comment for posting in response to the content of a particular Land Bank posting or social media content.

“Music and Movie Collaboration Sites” as referred to in this policy shall include websites used to share, download, and upload music files, movies, photographs, and other electronic files.

“Social Networking Websites” as referred to in this policy includes websites and/or applications that allow users to share information, including but not limited to such websites as Facebook, Twitter, LinkedIn, MySpace, YouTube, Flickr, etc.

#### **III. EMPLOYEE USAGE POLICY**

##### **A. Employer Monitoring**

1. Employees are cautioned that they should have no expectation of privacy while using the Internet. Employee postings can be reviewed by anyone, including the Land Bank. The Land Bank reserves the right to monitor comments or discussions about the Land Bank, its officers, employees, or agents posted on the Internet by anyone,

including employees and non-employees.

2. The Land Bank reserves the right to use content-management tools to monitor, review, or block content on social media sites or blogs that violate the Land Bank's social media rules and guidelines.

**B. Identification as an Employee of the Land Bank**

1. Employees who use or are members of social networking sites, music and movie collaboration sites, and blogs are hereby on notice, by receipt of this policy, that by identifying themselves on these websites as Land Bank employees, they are also to some extent holding themselves out as representatives of the Land Bank. As such, all employees who list the Land Bank as their employer on these social networking sites, blogs, or collaboration websites must take responsibility for representing the Land Bank in a professional manner. Therefore, the Land Bank encourages employees not to list the Land Bank as their employer.

2. If an employee does identify himself or herself as an employee of the Land Bank, any bloggings or postings that are not done in order to further the business of the Land Bank or pursuant to a Land Bank marketing plan or strategy pursuant to the instructions of the employee's supervisor must contain a disclaimer that these postings or blogs are solely the opinion of the individual employee and that these positions or blogs do not reflect the views or philosophy of the Land Bank, its officials, employees, or citizens.

**C. Content of All Postings and Blogs**

1. All employees' Internet postings that identify the employees as Land Bank employees must not contain confidential or proprietary content or information regarding their work as Land Bank employees, and the employees must clearly state that their views are not representative of those of the Land Bank, its elected officials, employees, or agents.

2. All personal blogs or postings on the blogs of others should have a clear disclaimer, such as the following:

The views expressed by the author in the blog are those of the author alone and do not represent the views of the Land Bank.

3. Employees writing a blog or posting on a blog should write in first person and should clearly state that the author is writing of his or her own volition and not on behalf of the Land Bank.

4. Information published on an employee's blog should comply with the Land Bank's confidentiality and disclosure policies. This also applies to comments posted on other blogs, forums, and social networking sites.

**D. Responsible and Respectful Postings**

1. Employees are encouraged to be respectful to the Land Bank, officers, employees, agents, and citizens in their use of social media.

2. An employee's online presence may reflect the Land Bank and, therefore, employees must be aware that their actions captured via images, posts, or comments can reflect the image of the Land Bank and its other employees. All postings, photos, images, or other communications by an employee regarding service to, or employment with, the Land Bank that are false or misleading about the Land Bank, its officials, or employees may subject the employee to disciplinary action consistent with this policy.

3. The Land Bank seal or other logo, trademarks, or symbols used to identify the Land Bank may not be used without written consent from the Administrator or his/her designee.

#### E. Rules with Respect to Other Land Bank Personnel

1. All information posted on social networking sites and blog postings must not divulge confidential information or the internal operations or procedures of the Land Bank.

2. Employees must not post any confidential or proprietary information regarding their job assignments, routes, and other work-related items without the express consent of the Administrator or his/her designee.

3. No confidential, personal, or identifying information, including photos and addresses, shall be posted with regard to any services rendered by the Land Bank or licenses or citations issued.

4. No confidential, personal, or identifying information shall be posted with regard to any Land Bank patron.

5. Land Bank personnel are discouraged from posting any work-related complaints or specific grievances regarding the elected officials, management, and supervisory staff of the Land Bank but shall instead utilize the procedure in place such as the complaint procedure or the union grievance procedure.

#### F. Copyright and Other Legal Issues

Employees must at all times comply with the laws regarding plagiarism and copyright violations, especially when the employee's site represents the employee as a Land Bank employee.

#### G. Acknowledgment

Land Bank employees must sign a written acknowledgment that they have received, read, understand, and agree to comply with the Land Bank's social media policy and any other related policy.

#### H. Reporting Violations

The Land Bank requests and strongly urges employees to report any violations or possible or perceived violations to the Administrator. Violations may include discussions of the Land Bank and its officers, employees, or agents; any discussions or postings where the employee has identified himself or herself as a Land Bank employee and is engaging in illegal or immoral conduct; any discussion of proprietary information; and any unlawful activity related to blogging or social networking.

#### I. Disciplinary Action

All employees who violate this policy may be subject to disciplinary action, up to and including termination. The Land Bank further reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct. The disciplinary action will be in accordance with any respective union collective bargaining agreements to which the Land Bank is a party, if applicable.

### IV. GENERAL POLICY

#### A. Approval and Administration

1. The establishment and use by any Land Bank department of Land Bank social media sites are subject to approval by the Land Bank Administrator or his/her designees.
2. All Land Bank social media sites shall be administered by the Land Bank Administrator (“Administrator”). The Administrator and his/her designees shall be trained regarding the terms of the social media policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy. The Administrator will be responsible for monitoring content on Land Bank social media sites to ensure adherence to both the Land Bank’s social media policy and the interest and goals of the Land Bank.
3. Land Bank social media sites should make clear that they are maintained by the Land Bank and that they follow the Land Bank’s social media policy.
4. Wherever possible, Land Bank social media sites should link back to the official Land Bank website for forms, documents, online services, and other information necessary to conduct business with the Land Bank.
5. All social networking sites should clearly indicate that any content submitted for posting on the site is subject to public disclosure.
6. The Land Bank reserves the right to restrict or remove any content is deemed in violation of this social media policy or any applicable law.
7. Any content removed based on these guidelines must be retained by the Land Bank clerk for a reasonable period of time, including the time, date, and identity of the poster, when available.

#### B. Comment Policy

1. Comments containing any of the following inappropriate forms of content shall not be permitted on Land Bank social media sites and are subject to removal and/or restriction by the Administrator or his/her designees:

- a. Comments not related to the original topic, including random or unintelligible comments;
- b. Profane, obscene, violent, sexual, or pornographic content and/or language,
- c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
- d. Defamatory or personal attacks;
- e. Threats to any person or organization;
- f. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- g. Conduct in violation of any federal, state, or local law;
- h. Encouragement of illegal activity;
- i. Information that may tend to compromise the safety or security of the public or public systems; or
- j. Content that violates a legal ownership interest, such as a copyright or trademark.
- k. Content that is verbally abusive, harmful, argumentative or in any way offensive that does not support the mission of the Land Bank.

2. A comment posted by a member of the public on any Land Bank social media site is the opinion of the commenter or poster only, and publication of a comment does not imply endorsement of; or agreement by, the Land Bank, nor do the comments necessarily reflect the opinions or policies of the Land Bank.

3. The Land Bank reserves the right to deny access to Land Bank social media sites for any individual who violates the Land Bank's social media policy, including members of the public, at any time and without prior notice.

4. Departments shall monitor their social media sites for comments requesting responses from the Land Bank and for comments in violation of this policy.

5. When a Land Bank employee responds to a comment in his/her capacity as a Land Bank employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself or other Land Bank employees.

6. All comments posted to any Land Bank Facebook site are bound by

Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the Land Bank reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

C. Compliance with Laws

1. All Land Bank social media sites must adhere to applicable federal, state, and local laws, regulations, and policies.
2. Land Bank social media sites are subject to the New York State Freedom of Information Act. Any content maintained in a social media format that is related to Land Bank business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure. Content related to Land Bank business shall be maintained in an accessible format so that it can be produced in response to a request. This shall also include any comments not approved for posting. Wherever possible, social media sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
3. The New York State Records Act applies to social media formats and social media content. The Department maintaining a site shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period on a Land Bank server in a format that preserves the integrity of the original record and is easily accessible.
4. E-discovery laws may apply to social media content; and, therefore, content must be able to be managed, stored, and retrieved to comply with these laws.