

City of Yuma
ADMINISTRATIVE REGULATION

Issued by: **Greg Wilkinson**
Authority: City Administrator

SUBJECT:

SOCIAL MEDIA

Issued: June 29, 2012

- 1.0 PURPOSE:** To address the fast-changing landscape of electronic media and the way residents and visitors communicate and obtain information, the City of Yuma (City) will use Social Media tools to reach and engage a broader audience. The City encourages the use of Social Media to further the goals of the City and the missions of its departments, where appropriate.

The City has an overriding interest and expectation in deciding what messages are conveyed on behalf of the City on any Social Media venue. This Administration Regulation (A.R.) establishes guidelines, standards, and associated policies for how the City organization will manage and use Social Media, and will be updated as required. Employees are to adhere to these guidelines when performing Social Media activities.

- 2.0 DEFINITION:** The definition of “Social Media” for the purpose of this regulation shall be defined as any online media that provides for user interaction and discussion. Examples of these Social Media online systems include, but are not limited to:

- (a) **Social Media** - various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards and online forums. Technologies could include: picture sharing, postings, e-mail, and instant messaging. Examples of Social Media applications include but are not limited to Facebook, Twitter, LinkedIn, YouTube, etc.
- (b) **Social Networking** – the practice of expanding business-related and/or social contacts by making connections through Internet-based applications. This A.R. focuses on social networking as it relates to the Internet to promote such connections for official City business.
- (c) **Tools** – any checklists, guidelines, scoring rubrics, legal documents, software, web-based applications, web-based services, workflows or similar items which can be used to create or modify content distributed through any Social Media platform or service. This also includes items which augment or ease interaction with or review of content created by City representatives or other users of these services.

3.0 SOCIAL MEDIA COMMITTEE - PURPOSE AND RESPONSIBILITIES:

- 3.1** The City Administrator has established a Social Media Committee (Committee) to oversee the implementation, use and operation of Social Media activities and to provide ongoing organizational support. At the request and approval of the City Administrator, members of the Committee are appointed by the Executive Team.
- 3.2** The Committee will develop, maintain and manage guidelines and standards related to the use of Social Media for official City business. These guidelines and standards shall be adhered to by all City staff during the development, maintenance and management of Social Media activities.
- 3.3** The Committee will periodically review existing guidelines and standards and will follow up on inquiries and recommendations for new guidelines, standards and tools, etc. from Department Directors.
- 3.4** The Committee may appoint a committee liaison to serve as the Committee's primary point of contact for the purpose of addressing and responding to intermittent Social Media questions or concerns from staff. The Committee Liaison will be responsible for reporting inquiries and responses to the Committee.
- 3.5** Where appropriate, the Committee will make recommendations to the City Administrator about current and future Social Media efforts.
- 3.6** After establishment of this A.R., should the Committee identify any potential concerns relating to Social Media use by individual departments, the Committee will notify the Department Director in writing of such concerns and provide a resolution timeline for correction. For any unresolved concern exceeding timeline for correction, the Committee shall provide a written notification to the City Administrator.
- 3.7** The Committee will approve all official City Social Media sites, venues, accounts, etc. prior to their release to the general public.
- 3.8** The Committee will maintain a list of Social Media tools which are approved for use by City departments and staff. Additionally, in the interest of better communication, the Committee will also maintain a list of Social Media tools currently under review for approval.
- 3.9** An assigned member of the Committee will maintain a list of all City Social Media venues submitted by the Department Director, including login and password information where permitted by Social Media venue terms of service.
- 4.0 SOCIAL MEDIA TOOLS:** The City, via the Social Media Committee, will approach the use of Social Media tools as consistently as possible for all venues.
- 4.1** All Social Media tools proposed for City use must be approved by the Committee.
- 4.2** For each Social Media tool approved by the Social Media Committee, associated guidelines and standards will be developed to include:

- (a) Operational and use guidelines.
- (b) Standards and processes for managing accounts on Social Media sites.
- (c) City and departmental approved branding standards.
- (d) Defined escalation processes to address issues resulting from day-to-day use of these accounts.

5.0 **DEPARTMENT RESPONSIBILITIES:** Department Directors shall designate Social Media Information Publishers and designated backups (SMIPs) who will hold primary responsibility for overseeing the posting and managing of the department content on approved Social Media venues.

5.1 Department Director will inform the Social Media Committee of any newly desired Social Media venues and will maintain a complete list of venues used by their department and its representatives.

5.2 Department Directors shall hold full responsibility for their department's Social Media venue content and the enforcement of this A.R. and associated policies. To ensure City control over these Social Media venues, the Department Director will hold administrative control of any Social Media. Additionally, the Department Director will advise the Social Media Committee of any administrative changes to existing venues.

6.0 **GENERAL:** All new City Social Media venues desired by any City department will be subject to Department Director approval with final approval by the Committee, prior to release to the general public.

6.1 The City's official website will remain the City's primary and predominant Internet presence.

6.2 The City Social Media tools fall generally into four categories:

- (a) As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
- (b) As marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience.
- (c) As a way of engaging citizens to participate in their government.
- (d) As a way of responding to concerns or questions posed by members of the public who engage in Social Media.

6.3 Wherever possible and appropriate, content posted to City Social Media venues will also be available on the City's official website.

6.4 Wherever possible, content posted to City Social Media venues should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City.

6.5 Where technically possible, the City must be able to edit or remove content from Social Media venues as necessary to ensure accuracy of information or to remove offensive or inappropriate content sites for cause.

- 7.0 STATE AND CITY RULES AND REGULATIONS:** Department Directors and SMIPs shall be responsible for the content and upkeep of any Social Media information their department may create, including general or transitory public correspondence, according to State of Arizona Records Retention and Public Records laws. Content shall be maintained in an accessible format so that it can be produced in response to a request. Wherever possible, such venues shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
- 7.1** Any content maintained by the City in Social Media is subject to State of Arizona public records laws, including but not limited to a list of subscribers/followers, posted communication, pictures, videos, reply messages, etc. The department maintaining the site is responsible for responding completely and accurately to any public records request as directed by the City Clerk's Office. Visitors shall be notified that public records requests must be directed to the City Clerk's Office.
- 7.2** Arizona state law and relevant City records retention schedules apply to Social Media formats and Social Media content. Unless otherwise addressed in a specific section of this Administrative Regulation or associated guidelines and standards, the Department maintaining a Social Media venue shall preserve records required to be maintained pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible.
- 7.3** All City Social Media venues shall comply with all other appropriate City administrative rules, guidelines and standards.
- 7.4** City employees are required to respect and honor the intellectual property rights of others and abide by all relevant federal, state and local copyright statutes. Any and all content published on or shared through any Social Media platform should either be original content created by City employees in the normal course of their work or, if contributed by an outside source or third party, must have a written agreement on file from the copyright holder that explicitly establishes the City's right to modify, replicate and distribute that content through said Social Media venues and also on the City web site. If the agreement is not perpetual, it is the SMIPs responsibility to remove content upon conclusion of agreement timeframe and notify the Web Development Administrator to remove content from the City web site. Content includes but is not limited to any text, static or motion graphics, photos, videos, audio files, trademarks or logos. Additionally, SMIPs will investigate any report of copyright infringement reported by a copyholder including documentation of the reported offense, review of the content in question and possible removal of infringing content.
- 7.5** FLSA requires Non-exempt employees to be compensated when working on city business outside of regular scheduled work hours. FLSA applies to all areas of city business including but not limited to use and operation of electronic media such as email, phones, social media etc. Use of these systems by non-exempt employees outside of normal work hours requires the approval of the supervisor.
- 7.6** Special terms of use for City employees and public officers: City employees and public officers (such as Board or Commission members) are reminded that their contributions to social media sites may be considered government speech rather than private speech, and may

be governed by Arizona and federal laws such as Arizona Open Meetings Law or federal elections and campaign laws. The use of a private e-mail address, non-City identifier, or non-City moniker alone will not change a City employee's or public officer's speech from government speech to private speech. Even posting a disclaimer in the contribution, such as stating "these comments reflect my own private opinion and do not, in any way, reflect the opinion of the City," may not be sufficient to transform a City employee's or public officer's speech from government speech to private speech. Therefore, to the extent the social media contribution is government speech, all City employees and public officers are responsible for following the same rules, regulations, and policies that apply to any other form of government/City expression. If city employees wish to contribute comments to social media sites, they must do so on their own time and on their own equipment, and as long as they do not identify themselves as city employees and are not speaking on behalf of the City.

8.0 USER AND VISITOR MEDIA SITE NOTIFICATIONS: Users and visitors to City Social Media venues shall be notified that the intended purpose of the site is to serve as a mechanism for communication between City departments and members of the public.

8.1 The City reserves the right to restrict or remove any content that is deemed in violation of any Administrative Regulation, associated City policies or any applicable law, or where it is in the best interest of the City to do so.

9.0 NO EXPECTATION OF PRIVACY: The City provides designated employees (SMIPs) with the automation tools needed to perform Social Media job functions for City business. SMIPs should not consider these City Social Media venues as personal property.

9.1 SMIPs should have no expectation of privacy and at all times conduct business in an appropriate and acceptable manner.

9.2 The City may monitor City Social Media venues to determine whether an alleged violation of law or City policy has or is occurring.

9.3 Login names and passwords used by SMIPs and designated posting employees for managing and maintaining City Social Media venues must be provided to the City, where permitted by Social Media venue terms of service, and will remain confidential.

10.0 VIOLATION AND ENFORCEMENT: Violations of this A.R. may result in disciplinary action, up to and including dismissal from employment. Criminal or civil action against employees may be appropriate where laws are violated.

10.1 While basic responsibility and accountability must begin with the employee, the department directors, managers and supervisors are responsible to ensure employees' understanding and compliance with this regulation.

10.2 When an instance of non-compliance with this A.R. is discovered or suspected, the department shall proceed in accordance with departmental and City personnel policies.

10.3 Suspension of service to employees may occur when deemed necessary by the department director when this A.R. is violated.

- 10.4** Discipline may be appropriate for non-compliance with this A.R., up to and including termination from City employment.
- 10.5** It shall not be a violation of this Administrative Regulation if a prohibited activity is specifically authorized by the City Administrator, City Attorney or Police Chief.
- 10.6** Any questions regarding appropriate use of City systems or this A.R. should be first directed to the employee's Department Director. If further guidance is required, Department Director may bring matter forward to the Social Medial Committee for further review and discussion.
- 11.0** **CITY'S RIGHT TO WAIVE OR AMEND:** When it is deemed in the best interest of the City to do so, the City Administrator, or designee, may waive or amend any portion of this Regulation, not in conflict with the Personnel Rules, City Charter, or City Ordinance.