

**SOCIAL NETWORKING WEBSITES AND ONLINE COMMUNICATIONS 514***Effective Date: 02/01/2016***Social Networking Websites**

Social networking sites including, but not limited to, Facebook, YouTube, Twitter, LinkedIn and online journals and blogs, present unique opportunities for employees to communicate with friends, family, colleagues and the general public. However, these websites also pose a significant risk to distract employees, reduce productivity and waste County resources where access is permitted during work time. Employees are prohibited from using their Cass County email account to register for personal social media sites and for the purposes of receiving regular email notifications of postings. Accordingly, Cass County will only allow access for those employees with a legitimate business reason to access any such site during working hours or via any County owned equipment.

**Online Code of Conduct**

To the extent employees access these sites during the employee's own time, employees should keep in mind that the information on such sites is posted in a global forum and, therefore, there is no guarantee of privacy or ability to restrict receipt of posted information. Accordingly, employees should exercise the same judgment and discretion in posting to social networking sites as they would when engaging in any conduct in a non-private setting. Employees must also understand they are solely responsible for what they post or endorse online.

The following conduct relative to online communications are examples of previously stated or additional conduct and activities, which **are prohibited** and can result in disciplinary action up to and including termination of employment:

- Sending or posting discriminatory, defamatory, harassing, bullying or threatening messages or images (including photographs or videos) regarding any current or former employee
- Making any defamatory, slanderous or derogatory reference or post against any prospect, client, customer, vendor or business partner that may harm or interfere with the County's working relationships or current contracts with third-parties
- Posting any confidential, proprietary or non-public Cass County information or documents, including but not limited to internal memoranda, reports, announcements, policies or other internal business-related communications, client lists or preferences, or financial data
- Posting any confidential information pertaining to employees or clients, which may otherwise be protected under state and federal laws such as state privacy and disability laws, Red Flag Regulations, ADA, HIPAA or GINA
- Disclosing any information protected by attorney-client privilege, legal hold or spoliation order
- Representing (or otherwise giving the impression) you are speaking on behalf of Cass County
- Failing to use proper disclaimers where Cass County is involved, such as "postings on this site are my own and do not represent Cass County's opinions, philosophies or business strategies"

- Posting photographs, videos or other images of other employees without proper authorization, or failing to remove such images when requested by another employee
- Unlawfully gaining access to another employee's social networking website or profile
- Demanding or otherwise requiring candidates or colleagues to relinquish any social networking password

### **Resolving Conflict**

When communicating online, employees are encouraged to be fair and courteous to current and former employees, customers, clients and vendors. Work-related issues are more likely to be resolved by speaking directly with employees or going to Department Heads where employees feel comfortable speaking freely.

Should employees decide to post complaints or criticisms, employees should avoid using statements, photographs, videos or audio that reasonably could be viewed as malicious, obscene, harassing, threatening, intimidating, bullying, or that disparages customers, clients or vendors. Failure to follow these guidelines may result in disciplinary action, or legal action initiated by a third-party.

### **Monitoring and Consequences for Policy Violations**

While Cass County has no general practice of reviewing employees' personal profiles on such sites, employees should be aware that if such profiles contain information suggesting conduct that violates this or any Cass County policy, such information may form the basis for an appropriate investigation and/or discipline. Employees may also be held personally liable for any violations of this policy, which also violates a state or federally protected right.

**Nothing in this policy prohibits employees from exercising any legal right under any state or federal law nor will employees be subject to discipline for any posts that are legally protected.** However, employees should be aware that not all posts to a personal social networking site outside of work time are entitled to legal protection and any such posts may result in disciplinary action up to and including termination of employment, if they violate this or any other County policy.

Employees who believe they have been the subject of online harassment or bullying should notify their Department Head or the Human Resources Department upon learning of violations of this policy without fear of reprisal or retaliation.