



DEPARTMENT OF EMPLOYEE RELATIONS

Issued on: April 7, 2022

Employee Personal Use Social Media Policy

I. POLICY STATEMENT

At the City of Milwaukee, we understand that social media can be a fun and rewarding way for employees to share their life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities.

The City recognizes the role Social Media Networking Sites (SMNS) can play in the personal lives of department employees. In addition, SMNS are also a valuable tool for professionals. The purpose of this policy is to provide information to employees on how to use SMNS without violating City regulations, policies, and civil service rules.

II. AUTHORITY

This policy is established under the Milwaukee Code of Ordinances Chapter 340-3(2)(d), which states that DER shall develop and implement city-wide employment policies and provide guidance and direction to city departments to ensure that human resources best practices are being followed and to ensure full compliance with applicable employment regulations.

III. DEFINITIONS

"Employee" means a person employed by the City of Milwaukee, including temporary appointments, temporary and permanent employees, students, volunteers, interns, and externs. It does not include members of the Milwaukee Fire and Police Departments.

"Social Media Networking Sites (SMNS)" means the use of web-based and mobile technologies to turn communication into an interactive dialogue. Forms of SMNS include, for example, collaborative projects (Wikipedia); blogs and micro blogs (Tumblr, Twitter); content communities (YouTube); social networking sites (Facebook); virtual game worlds (World of Warcraft); virtual social worlds (Second Life); and podcasts (iTunes, Stitcher).

IV. SCOPE

This policy applies to all general city employees; it does not apply to employees of the Milwaukee Fire and Police Departments. This policy applies to conduct of employees both inside and outside of the workplace, if the conduct negatively or adversely impacts the employee's job performance or conduct. This policy is not meant to infringe upon an individual's right to engage in personal interaction or commentary online, or upon any right protected by federal or state law.

V. PROFESSIONAL USE OF SOCIAL MEDIA NETWORKING SITES

SMNS may be used as a valuable tool for some specific job classifications when there is a legitimate business reason to do so. Department of Administration, Information and Technology Management Division has a separate policy that provides guidance on materials posted to SMNS by City employees representing the City of Milwaukee on City-Sponsored SMNS, which are created and/or maintained by designated City employees and used for the purpose of posting City-related social media content.

VI. NON-OFFICIAL OR PERSONAL USE OF SOCIAL MEDIA AND SOCIAL NETWORKING

Employee use of SMNS for strictly personal use outside of the workplace does not require approval. However, employees should recognize that use of social media is simply another form of personal communication, and as such, other city work rules governing confidentiality and appropriateness of communications apply equally to SMNS communications. All employees should avoid compromising professional, legal, and ethical standards. Additionally, City resources are to be used in a manner consistent with the Electronic Device Policy.

Departments may have work rules and/or policies regarding the release of confidential information. Those policies apply equally when using social media.

Employees should be mindful of the following:

1. Employees may be subject to discipline based on inappropriate posting on SMNS. Inappropriate postings may include discriminatory or harassing remarks, misrepresenting information obtained through the workplace, threats of violence, hate speech, or disclosure of confidential information. As set forth in Rule XIV. Section 12, j. of the Civil Service Rules, employees may be disciplined for offensive conduct or language towards the public or towards city officers or employees. Employees may also be subject to discipline for postings on SMNS that violate the City of Milwaukee Code of Ethics, the City of Milwaukee's Anti-Harassment Policy, and the City of Milwaukee's Workplace Violence Policy.
2. An employee expressing his or her personal opinions online shall not represent himself or herself as a spokesperson for the City of Milwaukee, or any of its departments, divisions, boards, commissions, committees or other sub-units.
3. Employees shall not use their work email address and network ID, etc., as their log-in or contact address on any personal SMNS.
4. Unless expressly authorized, an employee shall not disclose protected confidential information he or she obtains as a result of his or her employment, including, but not limited to, healthcare and mental health records, pupil records, law enforcement records, records containing trade secrets, protected attorney-client communications or attorney work product, and records containing certain personal identifying information.
5. Employees who are prohibited by law or policy from discussing confidential, non-public information they obtain as a result of their employment are also prohibited from discussing this same information on any SMNS.

6. As set forth in Section 303-5-4 of the Milwaukee Code of Ordinances, no employee may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, or for another person, if the information has not been communicated to the public or is not public information. This does not include reporting violations of the city's ethics code or other illegal acts to the proper authorities.
7. Employees should avoid posting any content including statements, photographs, video, or audio that reasonably could be viewed as malicious or obscene or that could create or contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or city policy.
8. Employees shall not post City of Milwaukee images or logos on SMNS if they are displayed in an offensive or derogatory manner, or bring discredit to the City of Milwaukee and its employees. This includes images or logos of any Department of the City of Milwaukee.

The policy is not meant to infringe upon an individual's right to engage in personal interaction or commentary online, or upon any right protected by federal or state law.

Violations of this policy may result in discipline, up to and including discharge.

Employees with personal complaints about working conditions, co-workers, and/or supervisors, are encouraged to discuss these matters with their supervisor or Human Resources rather than posting their concern(s) to SMNS. Retaliation is prohibited for reporting a possible violation of this social media policy or cooperating in any investigation with respect to a potential social media policy violation. Any employee who retaliates against any employee for reporting a possible deviation from this policy or for cooperating in any investigation will be subject to disciplinary action, up to and including discharge.

VII. PUBLIC RECORDS

Content related to government business may be subject to disclosure under the public records law regardless of whether it is found on an official social media account or a non-official, personal social media account. Employees are personally responsible for any information they communicate online. Consideration should be given regarding the retention and retrieval capabilities of the technology used and take appropriate measures to ensure posts made via a social media technology are retained and retrievable in the event of an open records request. This may require making hard copies or saving via another electronic means.

If the posts, photos, etc. are made or received in connection with the transaction of public business (such as providing advice or receiving comments about the City, Departments, or programs), they are public records for the purposes of records retention and need to be retained for their minimum retention periods. If the posts, photos, etc. are simply copying of records the Department is already retaining for the minimum retention period (such as links to publications), the posts may be considered secondary copies and retained accordingly.