

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 010-043

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE TOWN'S EMPLOYEE HANDBOOK BY ADDING A PROVISION REGARDING SOCIAL MEDIA; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 008-023, the City Council of the Town of Addison, Texas adopted the Town of Addison Employee Handbook, and by this Ordinance the City Council desires to amend the Employee Handbook by adding thereto provisions regarding social media.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:


Section 1. Amendment. The Town of Addison Employee Handbook, adopted by Ordinance No. 008-023 of the Town, is amended by adding thereto a new Section 2.07A, "Social Media," to read as set forth in Exhibit A attached hereto and incorporated herein.

Section 2. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the Town, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall take effect upon its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 23rd day of November, 2010.


Mayor, Joe Chow

ATTEST:

By: 
Lea Dunn, City Secretary

APPROVED AS TO FORM:

By: 
John Hill, City Attorney

**EXHIBIT A
TO ORDINANCE NO. 010-043**

A new Section 2.07A, "Social Media," is added to the the Town of Addison Employee Handbook to read as follows:

**SECTION 2.07A
SOCIAL MEDIA**

A. Purpose. To address the fast-changing landscape of the Internet and the way residents and other interested persons communicate and obtain information online, the Town of Addison Departments may consider participating in social media formats to reach a broader audience. The Town of Addison encourages the use of Social Media to further the goals of the Town of Addison and the missions of its departments where appropriate. Use of social media shall be for at least one of the following purposes: (i) to provide Town employees, residents, visitors, businesses, and other audiences with information about Town events, activities and issues, and (ii) to provide individuals and organizations outside of the Town with appropriate information about the Town. The Town of Addison has an overriding interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the Town of Addison on social media sites. This policy establishes guidelines for the use of social media.

B. Definitions. In this Section 2.07A, the terms below shall mean as follows:

1. *Social Media:* Social media is content created by individuals using accessible and scalable technologies through the Internet. Examples of social media include Facebook, blogs, MySpace, RSS, YouTube, Second Life, Twitter, LinkedIn, Delicious, Flickr, etc.
2. *Blog:* (an abridgment of the term web log) is a Town of Addison website with regular entries of commentary, descriptions of events, or other material such as graphics or video.
3. *Town of Addison author:* An authorized Town of Addison official that creates and is responsible for posted articles and information on social media sites (see article below).
4. *Article:* An original posting of content to a Town of Addison social media site by a Town of Addison author.
5. *Commenter:* A Town of Addison official or member of the public who submits a comment for posting in response to the content of a particular Town of Addison article or social media content.
6. *Comment:* A response to a Town of Addison article or social media content submitted by a commenter.
7. *Town of Addison moderator:* An authorized Town of Addison official, who reviews, authorizes and allows content submitted by Town of Addison authors and public commentators to be posted to a Town of Addison social media site.

C. Policy – General.

1. No officer or employee of the Town may use or participate any social media in connection with or related to the business of the Town unless the same has been approved in accordance with this policy and all other applicable rules and regulations of the Town of Addison. These policies, and all other rules and regulations of the Town pertaining to social media, may be modified at any time.

Prior to the use of or participation in any social media site by an employee of any Department of the Town, the social media site must first have been approved in accordance with this policy. All Town of Addison social media sites shall be (1) approved by the Director of Information Technology and the Department Head of the Department where use of a social media site is desired; (2) published using approved Town social networking platform and tools; and (3) administered by the Director of Information Technology or his designee. Designees within a Department for which a social media site has been approved for use can be any Department employee or volunteer designated by the Head of the Department that has a complete understanding of this policy and has appropriate content and technical experience.

2. All Town of Addison social networking (social media) sites shall adhere to applicable state, federal and local laws, regulations and policies, including the Texas Public Information Act and all Information Technology and Records Management and other applicable Town policies.
3. Content of social media sites must be able to be managed, stored and retrieved to comply with the Texas Public Information Act and e-discovery laws and policies.
4. All social network sites and entries shall clearly indicate that any articles and any other content posted or submitted for posting by any person are subject to public disclosure. Users of social media are not conferred and do not have an expectation of privacy under this policy.
5. Content submitted for posting that is deemed not suitable for posting by a Town of Addison social networking moderator because it is not topically related to the particular social networking site objective being commented upon, or is deemed prohibited content based on the criteria in Item 8. of this policy, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.
6. The Town reserves the right to monitor content before it is posted on all social media outlets and accounts and to restrict or remove any content that it deems, in its sole discretion, to violate this policy or any applicable federal, state, or local law, rule, regulation or policy.
7. Each Town of Addison social networking site shall include an introductory statement which clearly specifies the purpose and topical scope of the social

network site. Where possible, social networking sites should link back to the official Town of Addison Internet site for forms, documents and other information.

8. Without limiting any other provision of this policy, social networking content and comments on any Town social media site that contains any of the following forms of content shall not be allowed for posting:
 - (a) Comments not topically related to the particular site or blog article being commented upon;
 - (b) Profane language or content;
 - (c) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - (d) Sexual content or links to sexual content;
 - (e) Solicitations of commerce;
 - (f) Conduct or encouragement of illegal activity;
 - (g) Information that may tend to compromise the safety or security of the public or public systems; or
 - (h) Content that violates a legal ownership interest of any person or entity.
9. All Town social networking moderators shall be trained regarding the terms of this Town of Addison policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.
10. All social networking sites shall clearly indicate they are maintained by the Town of Addison and shall have Town of Addison contact information prominently displayed.
11. Where appropriate, Town Information Technology security policies shall apply to all social networking sites and articles.
12. Employees representing the Town government via social media outlets must conduct themselves at all times as a representative of the Town and in accordance with all human resource policies. See Attachment C–Employee Guidance for Participating in Social Networking.
13. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.
14. All official Town of Addison presences on social media sites or services are considered an extension of the Town of Addison’s information networks and are

governed by the Local Area Network, Internet and Electronic Mail Usage Policy signed by each employee and referenced to in the Town of Addison Employee Handbook.

15. Wherever possible, links to more information should direct users back to the Town of Addison's official website/s for more information, forms, documents or online services necessary to conduct business with the Town of Addison.
16. The Town of Addison's Information Technology Director shall approve what Social Media outlets may be suitable for use by the Town of Addison and its departments. The IT Director shall also serve to educate departments on how to best use various Social Media outlets to achieve their goals.

D. Blog Standards. Some social media outlets approved by the Town may allow the public to post comments to an article. Public comment posts shall not be allowed by unless approved by the City Manager, and the same may be discontinued if deemed necessary by the City Manager. Comments submitted by members of the public must be directly related to the content of an article. Town of Addison blog moderators shall allow comments that are topically related to the particular article being commented upon, with the exception of the prohibited content listed in Policy - General - Item 8 above.

1. Author and Commenter Identification

- (a) All Town of Addison blog authors and public commentators shall be clearly identified. Anonymous blog postings and comments shall not be allowed.
- (b) Enrollment of public commentators shall be accompanied by valid contact information, including a name, address, and email address.

2. Ownership and Moderation

- (a) The content of each Town of Addison blog shall be the responsibility of the Department producing and using the blog.
- (b) Documents and articles submitted to a Town of Addison blog shall be moderated by an authorized and trained blog moderator.

3. Blog Comments & Responses

- (a) All blog articles and comments shall be reviewed and approved by an authorized blog moderator before posting on a Town of Addison blog.
- (b) All blog articles and comments submitted for posting with attached content shall be scanned using antivirus technology prior to posting.
- (c) The linked content of embedded hyperlinks within any Town of Addison blog articles or blog comments submitted for posting shall be evaluated prior to posting. Any posted hyperlinks shall be accompanied by a disclaimer stating that

the Town of Addison guarantees neither the authenticity, accuracy, appropriateness nor security of the link, web site or content linked thereto.

E. Employee Guidance for Participating in Social Networking.

The Town of Addison understands that social networking and Internet services have become a common form of communication in the workplace and among stakeholders and citizens. Social networks are online communities of people or organizations that share interests and/or activities and use a wide variety of Internet technology to make the interaction a rich and robust experience. Employees that choose to participate in social networks as a Town employee should adhere to the following guidelines.

1. Town policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting Town business. Use of your Town e-mail address and communicating in your official capacity will constitute conducting Town business.
2. Town employees shall notify their supervisor and the IT department if they intend to create a social networking site or service to conduct Town business. An employee shall not use or participate in a social networking site to conduct Town business unless the same has been approved in accordance with Town policies.
3. Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties. Department Heads may allow or disallow employee participation in any social networking activities in their departments.
4. Protect your privacy, the privacy of citizens, and the information the Town holds. Follow all privacy protection laws, i.e., HIPPA, and protect sensitive and confidential Town information.
5. Follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and any others laws that might apply to the Town or your functional area.
6. Do not cite vendors, suppliers, clients, citizens, co-workers or other stakeholders without their prior written approval.
7. Any person identified as an employee of the Town of Addison on a publicly accessible site is expected to conduct themselves online in a manner that is consistent with their employment with the Town and the Town's goals and objectives. Make it clear that you are speaking for yourself and not on behalf of the Town of Addison if you are publishing content on a website outside of the Town and the content has something to do with the Town. If you publish content on any website outside of the Town of Addison and it has something to do with the work you do or subjects associated with the Town, use a disclaimer such as this: "The postings on this site are my own and don't necessarily represent the Town's positions or opinions."

8. Do not use ethnic slurs, profanity, personal insults, or engage in any conduct that would not be acceptable in the Town's workplace. Avoid comments or topics that may be considered objectionable or inflammatory.
9. If you identify yourself as a Town employee, ensure your profile and related content is consistent with how you wish to present yourself to colleagues, citizens and other stakeholders.
10. Correct your mistakes, and don't alter previous posts without indicating that you have done so. Frame any comments or opposing views in a positive manner.
11. Add value to the Town of Addison through your interaction. Provide worthwhile information and perspective.