



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

DATE: January 7, 2016  
MEMO TO: S. Michael Rummel, Chair  
Finance and Administrative Committee  
FROM: Mary E. Kann  
Director of Administration  
SUBJECT: Change to Personnel Policy and Procedure 8.12 Online Social Media

**RECOMMENDATION:** Approve changes to Procedure section of Personnel Policy 8.12: Online Social Media

**BACKGROUND:** The National Labor Relations Board (NLRB) has recently challenged many employers' Social Media Policies on the basis of restricting employees' rights to discuss working conditions, wages and other terms of employment. The Courts have agreed with the NLRB and said that employers cannot implement policies preventing employees from posting about working conditions. Therefore, District procedure has been updated to reflect that social media posts made regarding working conditions are not restricted by the District's Online Social Media policy.

**REASON FOR RECOMMENDATION:** Committee approval is required in accordance with District policy.

**REVIEW BY OTHERS:** Executive Director, Chief Operations Officer, Director of Finance, Manager of Human Resources and Risk

**STRATEGIC DIRECTION SUPPORTED:** None

**FINANCIAL DATA:** There is no financial impact to this procedure change.

**PRESENTER:** Mary E. Kann

**APPROVED:**

	<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
S. Michael Rummel, Chair			Sandra Hart		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Linda Pedersen, Vice Chair			Aaron Lawlor		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Steve Carlson			Audrey Nixon		
_____	<input type="checkbox"/>	<input type="checkbox"/>			
Bill Durkin					



## 8.12 Online Social Media

*Effective Date:* November 12, 2013

*Revision Date:* [January 7, 2016](#)

### **Procedure**

The following rules and guidelines apply to the use of social media, whether such use is for personal use during non-work time outside the workplace, or during working time while using District-owned resources.

1. Employees are prohibited from discussing confidential work-related matters through the use of online social media. Employees may not discuss or divulge confidential information, including, but not limited to, business/conceptual plans, strategies, financial information, proprietary information that has not been made public, or other copyrighted materials.
2. Since blogs or other online postings are in a public space, employees must be respectful to the District, co-workers, patrons, commissioners, volunteers, and those website visitors who post comments. For example, employees must refrain from posting personal insults or obscenity, or engaging in any conduct that would not be acceptable in the workplace such as: comments that are sexually offensive or offensive on the basis of race, gender, or other protected classifications. Employees should show proper consideration for the privacy of others<sup>2</sup> ~~privacy~~ and for topics that may be considered objectionable, inflammatory, or counterproductive to morale or teamwork.
3. Employees should use their best judgment. An employee's actions both in and outside the workplace reflect on his judgment, decision-making, professionalism, maturity, and commitment to the District. If an employee is about to publish something that makes them even the slightest bit uncomfortable, they should review this policy and consider the potential consequences of their actions. Ultimately, employees have sole responsibility for what they post to their blog or publish in any form of online social media.
4. Please note that these guidelines are intended to reflect a balance of rights and responsibilities, in recognition of the right of employees to engage in protected concerted activity. The procedure above is not intended to interfere with the right of employees to communicate with each other about the terms and conditions of their employment, which communication is expressly excluded from the foregoing limitations.

### **District-Sponsored Social Media**

District-sponsored social media (i.e. Facebook, Twitter, intranet, etc.) are used to: convey information about programs, events, activities and facilities; obtain customer feedback, exchange ideas; reach out to potential new markets; issue or respond to breaking news, or respond to negative publicity; brainstorm with employees and customers; and discuss activities and events.



All such District-sponsored social media is subject to the following rules and guidelines, in addition to rules and guidelines set forth above:

1. Employees cannot post any copyrighted information where written reprint permission is not obtained in advance (see District's Information Technology Security Policy).
2. Designated employees are responsible for ensuring that the District-sponsored social media conform to all applicable rules and guidelines. These employees are authorized to remove immediately and without advance warning any content, including offensive content such as pornography, obscenities, profanity, and/or material that violates the District's Equal Employment Opportunity and Harassment policies.

### **Personal Use of Social Media**

While what an employee does on their own time is generally their own business, activities in or outside of work that affect one's job performance, the performance of others or the District's business interests or image are a proper focus for scrutiny. The following rules and guidelines, in addition to the rules and guidelines set forth above, apply to employee use of social media on the employee's personal time.

1. Employees should abide by the District's End User Policy concerning personal use of the District's computers and related equipment.
2. Employees should make it clear that the views they express are theirs alone and that they do not necessarily reflect the views of the District. Only those employees officially designated by the District have the authorization to speak on behalf of the District. Employees who utilize social media and choose to identify themselves as employees of the District are strongly encouraged to state explicitly, clearly, and in a reasonable, prominent place on the site that their views are their own and not those of the District or of any person or organization affiliated or doing business with the District. While it is not necessary to post this notice on every page, employees should use reasonable efforts to draw attention to it—if at all possible, from the home page of the employee's site.
3. Employees may provide a link from their site to the District's website. However, employees cannot use the District's logo or reproduce any District material on their site. [An exception to this limitation would be using the District logo or referring to the District's personnel policy and procedures or employee handbook material to engage in protected concerted activity. This includes the discussion of wages, hours, and other terms, and conditions of employment.](#)
4. Employees cannot post confidential information or District-issued documents bearing the District's name or logo.
5. Blogs, wikis, virtual worlds, social networks, or other tools hosted outside of the District's—protected intranet environment should not be used for internal communications among ~~follow~~ [fellow](#) employees. It is fine for employees to disagree,



## Personnel Policies and Procedures

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### Lake County Forest Preserves

but employees should not use their external blog or other online social media to air their differences in an inappropriate or counterproductive manner, [such as sexually or racially offensive comments](#).

6. As stated above, employees are free to otherwise express their views, including criticisms.
7. Participation in social networking activities that can be characterized as non-work related and carried out during working time and that interferes with work duties and/or responsibilities can be cause for appropriate disciplinary action, up to and including termination.

The District reserves the right to monitor employees' use, while at work, of social media including but not limited to statements/comments posted online; statements/comments posted in blogs and other types of openly accessible forums; statements/comments posted in online diaries or in personal or business discussion forums.

Employees should have no expectation of privacy while using District equipment for any purpose, including the use of social media. The District reserves the right to monitor, review, and block content that violates the District's rules and guidelines.