

THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

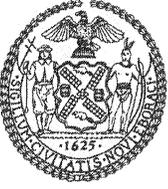
<input checked="" type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE 08/07/13		*TERMINATION DATE	EMPLOYEE USE OF SOCIAL MEDIA		
CLASSIFICATION # 9261	SUPERSEDES	DATED	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 5 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
 EVELYN A. MIRABAL, CHIEF OF DEPARTMENT SIGNATURE			 DORA B. SCHIRO SIGNATURE		

I. PURPOSE

This directive establishes policy regarding employee use of social media. This directive shall not in any way restrict the free speech rights of any employee. The purpose is to ensure employees do not use social media in a manner that would violate existing laws and Department policy. Employees who use social media are encouraged to do so with respect toward the rights and sensitivities of other employees and with due regard to maintain the continued trust of the public which we serve.

II. POLICY

- A. Social media is defined as online platforms that facilitate social networking, blogging and/or photo/video-sharing. This policy applies to both official use of social media and personal use of social media by members of the service. All employees are reminded that they are strictly accountable for their conduct at all times, whether on or off duty.
- B. This policy does not intend to discourage the personal expression of views by employees, or to limit discussion of workplace issues. Rather, the guidelines set forth in this policy are designed to encourage an environment of respect for co-workers and the Department's mission.
- C. No Department social media site or application is to be created or maintained without authorization by the Commissioner.
- D. The Deputy Commissioner for Public Information is responsible for posting official content on the Department's websites.
- E. No employee is authorized to post social media content on an official Department social media platform or website except those employees designated by the Deputy Commissioner for Public Information.

	EFFECTIVE DATE 08/07/13	SUBJECT EMPLOYEE USE OF SOCIAL MEDIA		
	CLASSIFICATION # 9261			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 2 OF 5 PAGES	

III. POLICY (continued)

- F. Manipulating (manually or electronically), transmitting in any form, or distributing any official Department recorded media or recorded media coming into the possession of the Department as evidence or for investigative purposes is prohibited.
- G. The Department recognizes that its employees may make personal use of internet based social media such as wikis, blogs, chat rooms and bulletin boards, including proprietary sites such as Facebook, Instagram, Twitter, LinkedIn and YouTube. Discussion of Departmental matters or identification of the speaker as an employee of the Department may impact the workplace and, if abused or used negligently, may improperly disclose confidential information, or otherwise violate existing departmental rules. Accordingly, all employees shall exercise care and respect in their use of social media.
- H. Employees are to be cognizant of their personal use of social media. Any activities or statements made on social media sites are in an online domain where users have no reasonable expectation of privacy. Even if a member has created “private” or “limited access” accounts or has customized “privacy settings,” any statements, photographs, video clips or information sent or received via the internet may be viewed and disseminated by third parties, even after the content has been deleted or edited by the user.

IV. GUIDELINES (FOR APPROPRIATE PERSONAL USE OF SOCIAL MEDIA)

In order to avoid any intentional or unintentional violations of the standards of conduct required by the Department, the following are general principles and guidelines which shall be considered by employees when using social media.

A. GENERAL CONSIDERATIONS

1. Communications intended for a limited or restricted audience may be permanently available to anyone with an internet connection. Posts made to a person or persons may be duplicated and shared by others without your knowledge.
2. Use discretion when using social media. If your post is not suitable for an in-person conversation, then it may not be appropriate for use on social media.
3. Use common sense when posting and consider that disparaging, vulgar or offensive comments about co-workers or work-related issues may have a negative effect on the work environment and violate existing departmental rules and policies.

	EFFECTIVE DATE 08/07/13	SUBJECT EMPLOYEE USE OF SOCIAL MEDIA		
	CLASSIFICATION # 9261			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 3 OF 5 PAGES	

IV. GUIDELINES (FOR APPROPRIATE PERSONAL USE OF SOCIAL MEDIA) (continued)

B. STATUS AS A DEPARTMENT EMPLOYEE

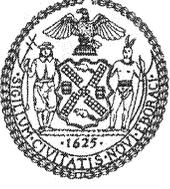
1. Statements made on social media may be interpreted by others as official statements of the Department. When you identify yourself as a Department employee by rank, title, work location, uniform or any other means, or hold a position with the Department that is known to the general public, you must make it clear through the use of a disclaimer that your statements and views are yours and do not reflect the views of the Department.

Sample disclaimer: The views reflected herein represent my personal view and in no way represent the policy of the New York City Department of Correction.

2. Members of service are prohibited from posting photographs of other members of service in full or partial uniform and/or displaying official identification, patches or badges, marked/unmarked vehicles on internet sites without authorization from the Department. These prohibitions will not apply to photographs taken at official Department ceremonies (e.g., promotions, awards, medals/citations, etc.).
3. Unless expressly authorized by the Department, employees shall not use a City of New York or Department logo or link to the Department's website.
4. Employees shall not use their Department email address when using social media.

C. CONDUCT WHILE USING SOCIAL MEDIA

1. Employees using social media may be subject to Department policy even when such use is personal and is conducted while off-duty.
2. Employees shall avoid using social media in a way which threatens the good order and discipline of the Department in violation of existing departmental rules. Employees shall not harass in a threatening manner or threaten co-workers or any other work-related persons such as inmates, visitors, volunteers or contractor employees via social media. Employees should favor the use of constructive criticism and respectful dialogue and avoid ridiculing or making disparaging comments about fellow members of the Department which may discredit and/or impact the operations and good order of the Department.

	EFFECTIVE DATE 08/07/13	SUBJECT EMPLOYEE USE OF SOCIAL MEDIA		
	CLASSIFICATION # 9261			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 4 OF 5 PAGES	

IV. GUIDELINES (FOR APPROPRIATE PERSONAL USE OF SOCIAL MEDIA) (continued)

3. In accordance with the United States Equal Employment Opportunity Commission and City, State and Federal equal employment opportunity laws, discriminatory statements concerning race, color, religion (creed), sex (including pregnancy), gender (including gender identity), national origin, age, disability, marital status or genetic information are prohibited.

D. CONFIDENTIAL INFORMATION

1. Employees shall not disclose via social media any confidential Department information regarding the business of the Department, including any information which is obtained as a result of the official duties of the employee and which is not otherwise available to the public.
2. Employees shall not post any confidential information about any inmate(s), whether currently or formerly incarcerated, including but not limited to photographs, housing location, behavior, medical or mental health condition, presence on suicide watch, etc.
3. Employees shall not identify any other member of the service as an employee of the Department or make known any private information (such as an employee's address, phone number, e-mail, disciplinary charges, pending investigations, medical conditions, etc.) via social media without the express consent of the other employee. Such disclosure may violate privacy rules and endanger the welfare of our workforce.
4. This policy does not intend to discourage the personal expression of views by employees on matters of public concern, or to limit discussion of workplace issues or working conditions.

V. RELATED POLICIES; PRIOR AUTHORIZATION FOR INITIATION OF DISCIPLINARY PROCEEDINGS

All members of the Department should be aware that even the personal use of social media off-hours may, if used inappropriately, violate Departmental rules and lead to disciplinary action. However, no disciplinary action based upon the alleged abuse of social media shall be initiated at any level, including Command Discipline, without the prior written authorization of the General Counsel and/or his or her designee.

- A. Directive #2220R, Sexual Harassment, dated 02/09/96;
- B. Directive #2221, Equal Employment Opportunity Office, dated 02/10/92;

	EFFECTIVE DATE 08/07/13	SUBJECT EMPLOYEE USE OF SOCIAL MEDIA		
	CLASSIFICATION # 9261			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 5 OF 5 PAGES	

V. RELATED POLICIES (continued)

- C. Rule and Regulation 3.20.030, conduct unbecoming an officer or employee;
- D. Rules and Regulation 3.20.170, reporting conduct prejudicial to good order, efficiency and discipline of the Department;
- E. Rules and Regulations 3.20.180 and 3.20.190, behaving with disrespect toward a supervisor;
- F. Rule and Regulation 3.20.300, behavior which threatens the good order of the Department;
- G. Rule and Regulation 4.30.030, confidentiality of Department records;
- H. Rule and Regulation 8.05.030, issuing statements embodying misleading, false, erroneous or defamatory information concerning the Department or its members;
- I. Rule and Regulation 8.05.050, imparting information relating to Department business.

In the event that any of the related policies are superseded, the successor document shall apply.