

**Resolution 2021-4
OF THE TOWN OF CLAYTON FIRE DISTRICT
TO ADOPT SOCIAL MEDIA POLICY**

The Town of Clayton Fire District acknowledges that use of technology by emergency service organizations provides several useful benefits including training and the acquisition of useful information for the betterment of the organization and its members. It also allows for the dissemination of information to the public for recruitment, safety education and public relations purposes. As such, the Town of Clayton Fire District embraces the usage of this new/ instant technology to that end.

This policy establishes the Town of Clayton Fire District's social media and instant technology use procedures and protocols which are intended to mitigate associated risks from the use of this technology where possible.

This policy applies to all employees of the Town of Clayton Fire District, volunteer members of the Clayton Volunteer Fire Department AND Depauville Volunteer Fire Department, consultants and contractors performing business on behalf of the Town of Clayton Fire District.

For the purposes of this policy, the term instant technology is defined as resources including, but not limited to, instant messaging, texting, paging and social networking sites such as Facebook, My Space, LinkedIn, Twitter, Youtube and any other information sharing services, websites and/or blogs.

All Department/District social media pages shall be approved by the Fire Chief/Board of Fire Commissioners or their designees. All social media content shall adhere to all applicable laws, regulations and policies including the records management and retention requirements set by law and regulation.

The Internet and other information sharing devices are global entities with no control of users or content. Therefore, available resources may contain material of a controversial nature. The Town of Clayton Fire District is not responsible for information found on these sources.

The Fire District understands the value of such technology, but also understands the concerns and issues raised when information is released that violates privacy concerns or portrays this organization to the public in an illegal or negative manner (intentional or unintentional). Therefore, no information, videos or pictures gathered while on Town of Clayton Fire District, Clayton Volunteer Fire Department and/or Depauville Volunteer Fire Department business (this includes emergency calls, meetings, drills, details, trainings or anything obtained on organization property or at organization functions) may be shared or posted in any format without the approval and written consent of the Fire District's Public Information Officer (District Chairperson).

Under this restriction, members and employees are prohibited from disseminating or transmitting in any fashion photographs or images of individuals receiving emergency medical assistance. Any such transmission may violate New York State Laws and/or the HIPPA privacy rights of such individuals and may result in a criminal and/

proceeding being commenced against members and employees violating this provision of the policy.

This policy is not intended to limit your right to freedom of speech or expression; but as we are a public entity, it has been put in place to protect the rights of this organization, its members and the public we are sworn to protect. Members and employees are advised that their speech directly or by means of instant technology either on or off duty and in the course of their official duties that has a connection to their professional duties and responsibilities may not be protected speech under the First Amendment. Speech that impairs or impedes the performance of the Fire Department/Fire District, undermines discipline and harmony among co-workers or negatively affects the public perception of the department/District may be sanctioned.

As a basic concept of constitutional law, a public employee may comment on a matter of public concern. However, airing personal workplace grievances does not raise a matter to a level of public concern.

In that regard, members and employees must follow the following guidelines when discussing the Fire District/Fire Department on Social Media Websites:

- Do not make any disparaging or false statements or use profane language.
- Do not make any statements or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, religion or protected class of individual.
- Make clear that you are expressing your personal opinion and not that of the Fire District/Fire Department.
- Do not share confidential or proprietary information.
- Do not violate Fire District/Fire Department policies including the Code of Ethics.
- Do not display Department or District logos, uniforms or similar identifying items without prior written permission.
- Do not post personal photographs or provide similar means of personal recognition that may cause you to be identified as a firefighter, officer or employee of the Department or District without prior written permission.
- Do not post personal photographs or provide similar means of personal recognition that may cause you to be identified as a firefighter, officer or employee of the Department or District on any online dating or similar sites.
- Do not publish any materials that could reasonably be considered to represent the views or positions of the Department or District without authorization.
- Do not post pictures of comments that violate the privacy rights of Department or District personnel or would violate any Department/ District rules and/ or any state or federal laws.
- Consider the guidelines stated in the Department/ District Policy which prohibits the commission of sexual harassment and discrimination against your fellow personnel when deciding to send any communications which include pictures, comments and other forms of reference to the personnel you work or serve with and do not violate that rules and laws.

- Do not assume that the willingness of a fellow worker or volunteer who is the subject of an offensive or improper communication to accept and not complain about the communication prevents the communication from violating the rights of other workers and volunteers.
- Do not communicate pictures and/ or personal information concerning a fellow employee or volunteer because placing this information into the public domain may subject them to harassment, stalking and other dangers.

The Town of Clayton Fire District owns the rights to all data and files in any owned computer, network, cell phone or other information system. The Town of Clayton Fire District also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Members and employees must be aware that the electronic messages sent and received using Town of Clayton Fire District equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by District and Department Officers at all times. The Town of Clayton Fire District has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws.

Inappropriate use of the Internet and instant technology while on Town of Clayton Fire District, Clayton Volunteer Fire Department and/or Depauville Volunteer Fire Department business may result in disciplinary actions, up to and including termination as an employee of the Fire District or volunteer member of the Fire Department.

Town of Clayton Fire District, Clayton Volunteer Fire Department and/or Depauville Volunteer Fire Department computer equipment is to be used for fire district/department business and purposes in a professional and businesslike manner.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call the vote was as follows:

Chairman Raymond Lowe	Yes	X	No
Commissioner Justin Taylor	Yes	X	No
Commissioner Scott Johnson	Yes	X	No
Commissioner Samuel Thesier	Yes	X	No
Commissioner Robert Haver	Yes	X	No
Commissioner Jacob Angus	Yes	X	No

The resolution was thereupon duly adopted.

Dated: September 8, 2021

Board of Commissioners, Town of Clayton Fire District, Clayton, New York