

The Board of Fire Commissioners recognizes and acknowledges that social media provides a valuable means of assisting the fire service and its personnel in fulfilling its obligation in meeting organizational objectives, community education and information and other related fire and emergency response functions and services. The Board endorses the secure use of social media to enhance communication and information exchange, streamline processes and foster productivity with its paid and volunteer staff.

The purpose and intent of the within policy is to establish the Board's position on the use and management of social media. The Policy Committee shall develop and implement guidelines pertaining to initiation, management, use, administration and oversight of a social media program.

This policy is not meant to address one particular form of social media but rather social media in general terms as technology will outpace the Board's ability to discover emerging technology and create policies for its use.

The Board's goal through this policy is to direct its administration to identify possible social media tools and uses, to evaluate its adaption to the fire service and implement same as deemed appropriate and necessary for the District and Department.

The Board also recognizes the role social media may play in the personal lives of District and Department personnel. The personal use of social media can have an effect on District and Department personnel in their official capacity as paid and volunteer personnel. The guidelines promulgated by the Policy Committee shall include a means to provide guidance of a precautionary nature as well as restrictions and prohibitions on the use of social media by District and Department personnel. All guidelines shall balance the individual's interest in free speech against the Board's interest in the effective and efficient fulfillment of its responsibilities to the public. The guidelines shall enure to ensure the public entrustment of the Board's charge and to promote, maintain and enhance a duty of tradition of effective public service by establishing standards of conduct to guide its personnel. The guidelines shall not abridge or infringe upon protected rights under federal and state legislation.

Social media sites are subject to the Open Public Records Act and postings shall be accessible and maintained as official Board records pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-

8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

The Board shall enact rules and regulations, procedures or guidelines and directives to implement or otherwise effectuate the purpose and intent of this Policy and federal, state and local laws, and rules, regulations, procedures, guidelines or directives promulgated thereto, as amended, which were enacted to insure or supplement the intent and purpose of this Policy. Said rules and regulations, procedures or guidelines and directives may be amended or supplemented by the Board as it deems necessary.

This Policy does not modify existing Board policies, procedures, guidelines, rules, regulations or directives and shall be read and construed in conjunction with other Board policies, procedures, guidelines, rules, regulations or directives so that any inconsistencies or ambiguities in this Policy may be resolved by referencing other Board policies, procedures, guidelines, rules, regulations or directives. Any interpretation as to the meaning of this Policy shall not be contrary to federal, state or local laws, or contrary to or inconsistent with the mandated charge of the Board. If any provision paragraph, sentence, clause or phrase set forth in this Policy is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Policy.

Legal References:      Open Public Records Act; N.J.S.A. 47:1A-1, *et seq.*  
                                 Destruction of Public Records Law (1953); N.J.S.A. 47:3-8.1, *et seq.*

1<sup>st</sup> Reading: 6/11/19

Effective Date: 7/9/19

2<sup>nd</sup> Reading: 7/9/19

Revised Date:

## MEMORANDUM

TO: ALL PERSONNEL  
FROM: BOARD OF FIRE COMMISSIONERS, FIRE DISTRICT NO. 4  
DATE: APRIL 18, 2019  
RE: ONLINE POSTING

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This memorandum is to alert you of the importance of being careful when conducting yourself in any electronic forum. You, as a public officer (firefighter), must be cognizant of any information you place or post on the internet or share electronically in any way. Email, text-messaging and social networking forums such as Facebook have become commonplace methods of communicating and interacting. There are certainly many benefits to these methods of connecting with others. However, these communication methods also pose some dangers for you as a public officer. The Board has developed PERSONAL ONLINE POSTING GUIDELINES and ETHICAL USE OF SOCIAL MEDIA PROCEDURES which are being distributed with this memorandum. These guidelines are important to maintaining a professional and appropriate relationship with other personnel and the public and are intended to assist you and your co-workers to avoid embarrassing and prohibitive conduct which could result in civil sanctions or damages for which you could be held accountable.

Thank you for your serious attention to this information.

**BOARD OF FIRE COMMISSIONERS  
FIRE DISTRICT NO. 4  
TOWNSHIP OF HOWELL  
STANDARD OPERATING GUIDELINES**

SOG NUMBER:	PERSONNEL
DATE IMPLEMENTED: 7/9/19 DATE REVISED:	TITLE: PERSONAL ONLINE POSTING

**INTENT AND PURPOSE:**

The District recognizes that socialization by personnel extends beyond the traditional means of gathering at the fire station or other locations after training, responses, meetings or other events.

Frequently, personnel choose to socialize and express themselves by posting personal and other information on the internet through personal websites, social media, blogs or chat rooms by uploading content or by making comments at other websites or blogs. Social media creates many opportunities to blur the line between personnel fire service lives and private lives. Problems can arise when a personal posting identifies or appears to be associated with the District, when social media personal posting is utilized in a manner that obstructs or interferes with the mandated charge of the District or is used in a manner that violates the rights of other personnel.

While the District encourages its personnel to engage in positive and constructive discourse, it must balance same with the potential detrimental and destructive impact that inappropriate discourse and communication will have upon the integrity of the fire service within the District. The District acknowledges the impact any restriction may have on the overall morale of personnel, however, not to offend the high standards and principals expected by the District of its personnel, the Board finds and determines that guidelines need to be promulgated to afford a common sense approach to this problematic issue. The following guidelines and cautions pertain to all District personnel, paid and volunteer, and the term "District" is inclusive of the Fire Department.

**GUIDELINES AND CAUTIONS:**

1. District personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships within the District for which confidentiality and loyalty are important. It also cannot impede the performance of duties, discipline and harmony among co-workers, or negatively impact the public perception of the District;
2. District personnel's speech on or off duty made pursuant to their official duties, or regarding District business, is not protected speech under the First Amendment. Such speech may form the basis for discipline if deemed detrimental to the District. District personnel should assume that such speech and related activity on social media sites will reflect upon their employment and the District;
3. You are legally responsible for content you post;

4. You can be held personally liable for defaming others, revealing confidential information and privacy violations, among other things;
5. You post at your own risk. District insurance coverage does not cover personal postings;
6. Online postings are easy to dash off and virtually impossible to retract once published;
7. The courts have found online postings to be discoverable to attack your credibility in litigation;
8. Personal postings may result in you being sanctioned as a firefighter within the District. ALL District policies, rules and regulations, guidelines, directives, procedures and state and federal mandates apply to anything you post. This means, for example, that you may not use personal postings to harass or threaten other personnel, reveal confidential information or violate other responsibilities entrusted to you as a public officer;
9. Personnel should keep in mind that postings will be read not only by those intended to receive same, but also by family, friends, other fire service personnel, fire service supervision and possibly by the public at large and various media agencies. Even if you post anonymously or under a pseudonym, your identity can be discovered relatively easily;
10. Personnel shall not post confidential information or violate fire service personnel or others' privacy. If you have concerns about the confidentiality or propriety of something you intend to post, check with a District official first;
11. If, either explicitly or implicitly, by statement or otherwise, you identify yourself as a firefighter within the District, you must clearly state that the views expressed in your post are your own and do not reflect the views of the District and/or Board;
12. You may not use District resources to create, maintain or post personal online communications;
13. You may not use District logos or other images, items or symbols, nor make false or misleading statements about the District, its philosophy or opinions. "Images, items or symbols" include, but are not limited to, seals, uniforms, vehicles, equipment, text, photographs, audio or video recordings or reproduction, or any symbol, wording, number, likeness, or material that is identifiable to the District;
14. You may not do anything that may adversely affect your standing as a public officer or which could bring you or the public sector in disrepute or to compromise your ability to perform your public duties; and
15. Use your good judgment and discretion when requesting that co-firefighters, supervisors or subordinates join you on online social networks, or when responding to such requests. Keep in mind that, although you may be friends outside of the fire service, you are colleagues in the fire service and must address each other with respect and courtesy. A post or comment that might be appropriate among social friends may sound different when coming from a supervisor, subordinate or co-firefighter.

Stop and think before you hit "publish". Remember, when you are not actively engaged in the fire service, you probably aren't thinking of the potential consequences of your post. You are always a public officer and must maintain an acceptable standard of conduct.

Legal References:

1<sup>st</sup> Reading: 6/11/19

Effective Date: 7/9/19

2<sup>nd</sup> Reading: 7/9/19

Revised Date:

PURPOSE:

The purpose of this provision is to establish guidelines and procedures regarding the use of social media and social networking by all personnel of Howell Township Fire District No. 4.

It will be the policy of the District that all personnel conduct themselves in a professional manner when using social media and social networks. All personnel will adhere to existing federal, state and local laws when it comes to social media and social networking.

SCOPE:

This provision shall apply to all paid and volunteer District and Department personnel.

DEFINITIONS:

For purposes of the within procedures, the following definitions shall be effective:

1. Social Media

- a. Online sources that allow people to communicate, share and/or exchange information with others via some form of online or cellular network platform. Information may include, but not limited to, texts, photographs, video, audio and other multimedia files.

2. Social Networking

- a. Involves using such internet or mobile formats as Myspace, Facebook, Twitter, LinkedIn, Foursquare, Usenet groups, message or online bulletin boards, blogs and other similarly developed formats to communicate with others using the same groups while also networking with other users based upon similar interests, geographical location, skills, occupation, ideology, beliefs, etc.

3. Internet

- a. A computer network consisting of a worldwide network of computer networks that use the TCP/IP network protocols to facilitate data transmission and exchange.

4. Post

- a. (noun) An item inserted into a blog or an entry to any type of computerized bulletin board, forum or social media site.

- b. (verb) Act of creating, uploading, editing or adding to any social media outlet. This includes texts, photographs, audio, video or any other multimedia files.

5. Blog

- a. A series of entries written by either one person or a group of people in an online journal usually posted in chronological order like a diary. Blogs can allow or disallow comments on entries.

6. Comments

- a. Responses to a blog post, news article, social media entry or other social networking post.

PROCEDURE:

1. District and Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the District or Department for which loyalty and confidentiality are important. Also, it cannot impede the performance of duties, impair discipline and harmony among co-workers or negatively affect the public perception of the Department.
  - a. As public employees, District and Department personnel are cautioned that speech on or off duty made pursuant to their official duties, and that owes its existence to the individual's professional duties and responsibilities, is not protected speech under the First Amendment. Such speech may form the basis for discipline if deemed detrimental to the District and/or Department. District and Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and the fire service within the District.
2. Personnel are prohibited from using District or Department computers or District or Department issued cell phones/devices for any unauthorized purpose, including participation in social media or social networking.
  - a. Personnel shall not use any social media or social networking platform while on duty unless permission is granted for investigative or public information purposes.
3. Unless granted explicit permission by the Chief or Public Information Officer (PIO), or their respective designees, personnel of the District and Department are prohibited from posting any of the following on any social networking platform, to include their own sites, the sites of others known to them, the sites of others unknown to them, news media pages or other information exchange forums:
  - a. Any text, photograph, audio, video or any other multimedia file related to any investigation, both current and past, of the District or Department.
  - b. Any text, photograph, audio, video or any other multimedia file related to any past



or current action of the District or Department, either in homage or critique.

- c. Logos, badges, seals, uniforms, vehicles, equipment or any item or symbol that is affiliated with the District or Department.
  - d. Any item symbol, wording, number, likeness or material that is identifiable to the District or Department.
  - e. Any text, photograph, audio, video or any other multimedia file that is related to any occurrence within the District or Department.
4. Employees who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the District or Department or their common mission. In the course of operating or participating in such venues, the following rules shall apply:
- a. Unless explicitly granted permission, personnel shall not identify themselves in any way as personnel within the District or Department.
  - b. Personnel shall not use any references to infer they are District or Department personnel during social media or social networking participation or maintenance.
  - c. Personnel will be held responsible for the content that appears on their maintained social media or social networking sites and will be obligated to remove any posting or material contributed by others that identifies the individual as a member of the District or Department or reflects the District or Department in a negative light.
  - d. Sexually graphic or explicit material of any kind shall not be posted by personnel on any form of social media or social networking site.
  - e. Sexually graphic or explicit material of any kind shall not be posted by others to any personnel's social media or social networking site and, if posted, shall be immediately removed by the individual on whose site the material is posted.
  - f. Any text, photograph, audio, video or any other multimedia file included on a social media or social networking site that infers, implies, states, opines or otherwise expresses the user's views shall not be detrimental to the District's or Department's mission, nor shall it in any way undermine the public's trust or confidence in the fire service.
  - g. Any posting that detracts from the District's and Department's common mission will be considered a direct violation of this policy.
5. Unless serving as an explicit permitted tool of public information or community outreach, no individual shall use their rank and/or title in any social media or social

networking activity, including inclusion of said rank and/or title onto the individual's online identity or avatar.

6. Personnel who are brought under administrative or internal investigation related to their performance, functionality or duties may be ordered to provide the District or Department with access to their social media and social networking platforms.

a. Personnel who are brought under administrative or internal investigation related to the District's or Department's operation, productivity, efficiency, morale or reputation may be ordered to provide the District or Department with access to their social media and social platforms.

b. Personnel should expect that any information created, transmitted, downloaded, exchanged or discussed in a public forum may be accessed by the District or Department at any time without prior notice.

#### 7. District and Departmental Social Media

a. The use or creation of all District or Department social media sites or pages shall be approved by the Chief or PIO or their respective designees. All social media sites or pages shall indicate that they are maintained by the District or Department and shall have contact information for the District or Department prominently displayed.

i. District or Department social media sites or pages shall be administered by the District's Public Information Officer, as well as the day-to-day maintenance of those sites and pages.

b. Social media sites should state that the opinions expressed by the visitors to the pages do not reflect the opinions or views of the District or Department. Pages should clearly identify that posted comments will be monitored and that the District or Department reserves the right to remove obscenities, off topic comments and personal attacks. The District and Department reserve the right to deny access to District and Department social media sites and pages to any individual who violates this policy at any time without prior notice.

c. District and Department social media may be used for time-sensitive notifications and public information releases when immediate notification to the public is necessary. These situations include, but are not limited to:

i. Road closures and detours

ii. Active searches for missing/endangered persons

iii. Weather emergencies

iv. Any other information deemed necessary for immediate release to the public

d. District and Department social media sites may be used as an investigative tool when seeking evidence or information about an active investigation.

- i. In this effort, personnel are permitted to share District or Department postings to their personal social media sites. However, those individuals shall refrain from making any alterations to the District or Department posting and shall refrain from making any improper comments regarding the District or Department posting.
  - e. Personnel shall not create fictitious social media online profiles to subvert these guidelines.
8. Social media can also be a powerful recruiting tool, as persons seeking employment or volunteer positions use the internet to search for opportunities. District and Department members are encouraged to use social media sites to assist with recruiting potential candidates for employment or volunteer positions within the District and Department.

Legal References:

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