

BOROUGH OF BRADLEY BEACH

RESOLUTION 2022-174

**ADOPTING A VOLUNTEER SOCIAL MEDIA POLICY FOR THE PERSONNEL POLICY
AND INCORPORATED EMPLOYEE HANDBOOK**

WHEREAS, the Borough of Bradley Beach is in need of certain updates to the Borough of Bradley Beach Policies and Procedures Manual and Employee Handbook; and

WHEREAS, in light of recent changes to the law pertaining to the use of Social Media in the State of New Jersey, the Borough of Bradley Beach wishes to adopt a Volunteer Social Media Policy consistent with the laws of the State of New Jersey; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey that the Mayor and Council hereby adopts the following Volunteer Social Media Policy to be included in the Borough's Policies and Procedures Manual and Employee Handbook;

**BOROUGH OF BRADLEY BEACH
SOCIAL MEDIA NETWORKING POLICY FOR VOLUNTEERS**

Social Media Networking Policy Overview for Volunteers

Nothing contained in this social media networking policy is designed to interfere with, restrain, and/or to prevent communications, which are protected by the First Amendment freedom of speech clause.

When acting in the capacity of an official "Volunteer" of the Borough of Bradley Beach, or when posting to Bradley Beach "official" or "sponsored" sites, there are guidelines that volunteers must follow so as not to place the Borough at financial risk, and/or to discredit the Borough, its departments, its employees, and/or its volunteer organizations.

Social Media Network Defined

For purposes of this policy, a "social media network" is defined as a site that uses internet services to allow individuals to construct a profile within that system, define a list of other users with whom they share some connection, and view and access their list of connections and those made by others within that system. The type of network and its design vary from site to site. Examples of the types of internet-based social networking activities include blogging, networking, photo sharing, video sharing, microblogging, podcasting, as well as posting comments on the sites. The absence of, or lack of explicit reference to a specific site or activity within this policy does not limit the extent of the application of this provision.

Volunteer Guidelines for Social Media Network/Sites

When a volunteer:

1. Identifies themselves as a "volunteer member" of a specific Bradley Beach volunteer organization when making a social media post to an independent, personal social media networking site (such as, but not limited to Facebook, Twitter, Flickr, LinkedIn, Snapchat, Instagram, Telegram, and YouTube), and/or;
2. Posts to a Borough of Bradley Beach sponsored/maintained social media networking site,

the volunteer must:

- Strive to ensure that their social media posts are respectful, fair and courteous;
- Maintain the confidentiality of the Borough of Bradley Beach's trade secrets and/or confidential information, such as internal reports, policies, processes, know-how, technology and/or internal business-related confidential communications.
- Avoid:
 - Any representation of Bradley Beach Borough's positions, strategies and/or opinions;
 - Speech containing obscene or sexually explicit language, images, and/or acts and/or statements and/or other forms of speech that ridicule, malign, disparage, and/or otherwise bias against any race, any religion, and/or any protected class of individuals;
 - "Unacceptable" posts that would be considered in violation of Bradley Beach Borough's policies, including but not limited to, anti-discrimination and/or anti-harassment;
 - Speech involving themselves and/or other Borough of Bradley Beach personnel reflecting behavior that would reasonably be considered reckless and/or malicious;
 - Content that is abusive, profane, obscene, insulting, and/or threatening;
 - Language that promotes or encourages criminal, dishonest, or discriminatory conduct;
 - Copyrighted content, or the original work of another person or business that is posted without the express written consent of the owner;
 - Endorsements of commercial products/services; and,
 - Endorsements of political candidates.
- Be aware of the fact that, regardless of privacy settings, pictures, videos, and/or text that is posted online on a social media networking site could be made available to individuals for whom it was not intended.

Volunteer Use of Bradley Beach "Official" Social Media Networking Sites/Accounts

Volunteers should expect that any information created, transmitted, downloaded, exchanged, and/or discussed in a Bradley Beach-specific public online forum located on a Bradley Beach Borough sponsored and/or maintained social media networking site may be accessed by the Borough of Bradley Beach at any time without prior notice. In addition, the Borough of Bradley Beach maintains the right to delete any unacceptable comments and/or posts made on any one of its sponsored and/or maintained social media networking sites which it deems in violation of this policy without any prior notice to the user. It is assumed that any volunteer posting on a Borough of Bradley Beach sponsored and/or maintained social media networking site is doing so in their capacity as a Borough volunteer. Any volunteer becoming aware of or having knowledge of a posting and/or website that is in violation of the provisions of this policy shall notify the Borough Administrator immediately for further review. Volunteers should be aware of the issues that may arise from the misuse of Bradley Beach sponsored and/or maintained social media networking accounts.

General potential liabilities for all Social Media posts

All residents, whether acting in the capacity of an official Bradley Beach Borough volunteer, or in the capacity of a non-volunteer resident, should be aware that privacy settings and social media networking sites are constantly in flux, and they should never assume that personal information posted on such sites is protected in any manner whatsoever. Please also be advised that anyone posting to social media networking sites may be subject to civil litigation for purposefully:

- Publishing or posting willfully false information that harms the reputation of another person, group, or organization (i.e. defamation/libel/slander);
- Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or,
- Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

Seconded by Councilman Weber and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Bonnell	X			
Mr. Gubitosi	X			
Mr. Sexsmith	X			
Mr. Weber	X			
Mayor Fox	X			

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the June 14 25, 2022 Council Business Meeting.


Erica Kostyz, RMC, CMC
Municipal Clerk