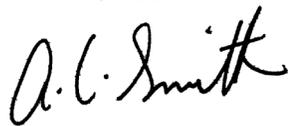




Department of
Rehabilitation & Correction

SUBJECT: Social Media	PAGE <u> 1 </u> OF <u> 4 </u> NUMBER: 31-SEM-12
RULE/CODE REFERENCE: ORC 5120.01	SUPERSEDES: NEW
RELATED ACA STANDARDS:	EFFECTIVE DATE: September 1, 2021
	APPROVED: 

I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

II. PURPOSE

The purpose of this policy is to provide written guidelines and notify all Ohio Department of Rehabilitation and Correction (ODRC) employees regarding the use and management of social media for job-related and personal use. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

III. APPLICABILITY

This policy applies to all civil service employees, volunteers, and contractors of the ODRC.

IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the ODRC policies page on the ODRC Intranet at the following:

[Definitions Link](#)

- **Blog**
- **Page**
- **Profile**
- **Share**
- **Social Media**
- **Social Media Post**
- **Social Networks**
- **Speech**

V. POLICY

It is the policy of the ODRC to permit the secure and professional use of social media to enhance communication, collaboration, information exchange, streamline processes, and foster productivity. This policy establishes the ODRC's position on the utility and management of social media and provides guidance on the use, administration, and oversight of social media.

Employees are prohibited from sharing confidential and/or proprietary information online and are prohibited from posting or displaying comments or pictures about incarcerated individuals, fellow employees, or the ODRC, that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the ODRC's policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic.

VI. PROCEDURES**A. JOB-RELATED USE OF SOCIAL MEDIA**

1. Use of social media is generally not permitted on state computers or while on state time, except for the limited purposes described below in sections VI.B and VI.C or unless special permission use is granted by the Director, the Communications deputy director, or designee of either. All ODRC personnel must adhere to the guidelines and policy set forth in ODRC Policy 01-COM-09, Media Policy.
2. The content of all social media pages administered by ODRC are subject to public records laws, including record retention schedules.
3. ODRC personnel representing the agency via social media outlets shall always conduct themselves as representatives of ODRC. Accordingly, they shall adhere to all applicable ODRC standards of conduct, shall observe proper decorum, and shall identify themselves as a member of ODRC. ODRC personnel representing the agency shall not make any statements about the guilt or innocence of any incarcerated individual; shall not comment, post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to the ODRC activities, investigations, or work-related assignments without first obtaining written permission from the Director, the Communications deputy director, or designee of either; and shall not conduct political activities, private business, or engage in any violation of Ohio's Ethics laws or any other state, federal, or local laws.

B. USE OF SOCIAL MEDIA FOR EMPLOYMENT AND BACKGROUND INVESTIGATIONS

1. Social media sites may be used to obtain additional information regarding volunteers, contractors, and employment candidates.

2. Only information that is publicly available on social media sites may be used as part of a background check on a volunteer, contractor, or employment candidate. This in no way limits the use of software or services designed to locate, gather, and organize social media use as part of a background check.
3. Vetting techniques shall be applied uniformly to all candidates for employment.
4. No hiring decision should be made solely on the fact that an applicant or candidate has posted information to one or more social media sites.

C. USE OF SOCIAL MEDIA FOR INVESTIGATIVE PURPOSES

Investigations conducted by ODRC staff that include inquiry into social media use by any person shall be conducted in accordance with applicable ODRC policies. Investigators must ensure that methods deployed to search social media comply with constitutional requirements and existing laws. If necessary, investigators may request a Director's subpoena for records of social media sites or pages. Questions regarding investigations into the use of social media should be directed to the Chief Inspector's Office.

D. PERSONAL USE OF SOCIAL MEDIA

ODRC personnel may have a social media account but accessing or using that account is generally not permitted on state computers or while on state time. ODRC staff may share ODRC social media posts to personal social media pages. However, ODRC personnel shall not otherwise represent themselves on any social media page as a representative of the agency by posting pictures of themselves in the ODRC uniform, using the ODRC logo in any posts or on any pages, or otherwise using social media to suggest to a casual observer that the employee or the employee's posts are representative of the ODRC. ODRC personnel shall take appropriate precautions when using personal social media accounts, including, but not limited to the following:

1. Personnel should assume that their speech and related activity on social media sites will reflect upon ODRC.
2. Personnel are free to express themselves as private citizens on social media sites, but should be aware that ODRC may consider off-duty social media use to relate to the employee's employment if, for example, a post or posts interfere with the operation of ODRC, undermine the mission of ODRC, impair working relationships at ODRC, impair discipline and harmony among coworkers, impede the performance of the person's duties or responsibilities, create an actual or perceived conflict with the person's duties or responsibilities at ODRC, or cause the public to lose faith and confidence in ODRC.
3. As public employees, personnel are cautioned that speech, both on and off duty, made pursuant to their official duties may not be protected speech under the First Amendment and may be subject to discipline.

4. When using social media, personnel should be mindful that their speech becomes a part of the worldwide electronic domain and may be shared by others or retrieved even after an individual deletes it. Therefore, ODRC encourages adherence to ODRC Policy 31-SEM-02, Standards of Employee Conduct, in the personal use of social media.
5. Personnel should be mindful of the safety and security of themselves and their coworkers when using social media.
6. Evidence of engaging in the types of social media use prohibited or cautioned against in this policy may be used to undermine or impeach an employee's testimony and credibility in any legal or administrative proceedings.
7. Personnel should be aware that privacy settings and social media sites change frequently. Employees should never assume that personal information posted on such sites is protected or inaccessible to the general public.
8. Personnel should expect that any information created, transmitted, downloaded, exchanged, posted, or discussed in a public online forum may be viewed and/or accessed by ODRC or any of their personnel at any time without prior notice.
9. Personnel are prohibited from using personal social media accounts, pages, sites, or other platforms to engage in posts or other speech involving themselves or other personnel reflecting behavior which would reasonably be considered as bringing discredit to ODRC or its Bureaus/Offices/Divisions.
10. Personnel may be disciplined for engaging in conduct that impairs the individual's ability to effectively carry out their duties or responsibilities as a public employee, including but not limited to, providing credible testimony.
11. Personnel are prohibited from using personal social media to make statements or to otherwise give the impression that ODRC endorses a particular opinion, viewpoint, person, or product.
12. Personnel shall not use personal social media in any way that could reasonably give the impression to the public that the comments, postings, or opinions are those of ODRC or any other public agency or public official.
13. The use or accessing of social media via personal devices such as cellular phones and tablets during scheduled work hours is generally prohibited. However, personnel may use personal devices for such activities during legitimate break periods and on their own time.

Referenced ODRC Policies:

- 01-COM-09 Media Policy
31-SEM-02 Standards of Employee Conduct