

## USE OF ELECTRONIC COMMUNICATIONS AND SOCIAL MEDIA

*Application: All state employees, including employees of agencies exempt from coverage of the Virginia Personnel Act.*

*NOTE: Agencies may also require consultants, contract personnel, or other non-employees such as volunteers or interns to abide by this policy.*

### PURPOSE

The purpose of this policy is to ensure the appropriate, responsible, and safe use of electronic communications and social media by employees. This policy establishes minimum standards for all state employees. Agencies may supplement this policy as necessary, as long as such supplement is consistent with this policy.

### POLICY SUMMARY

This policy includes the following:

- [Employee Responsibilities and Requirements](#)
  - [Business Use](#)
  - [Personal Use](#)
  - [User Requirements](#)
  - [Prohibited Activities](#)
- [Agency Responsibilities and Requirements](#)
  - [Monitor Usage](#)
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### AUTHORITY

This policy is issued by the Department of Human Resource Management (DHRM) pursuant to the authority provided in [§2.2-1201](#) and [§2.1-2827](#) of the Code of Virginia.

DHRM reserves the right to revise or eliminate this policy as necessary.

Agencies may supplement this policy to accommodate specific business needs.

Supplemental policies must be consistent with the provisions of DHRM policy and must be communicated to all agency employees.

## RELATED POLICIES

[Policy 1.60 - Standards of Conduct](#)

[Virginia Information Technologies Agency Information Security Policy, Standards, and Guidelines](#)

[Virginia Information Technologies Agency - Information Technology Standard Use of Non-Commonwealth Computing Devices to Telework](#)

[Virginia Information Technologies Agency - Telework Resources](#)

[Office of Fleet Management Services Policies and Procedures Manual](#)

## EMPLOYEE RESPONSIBILITIES AND REQUIREMENTS

All employees must comply with this policy and any additional policies that may be adopted by the agency or institution of the Commonwealth where the user is working.

### A. **Business Use**

Agency provided electronic communications tools are the property of the Commonwealth and are provided to facilitate the effective and efficient conduct of State business. Users are permitted access to the Internet and electronic communications tools to assist in the performance of their jobs. Some users may also be permitted to access and use social media to conduct agency business. Each agency or institution of the Commonwealth may adopt its own policy setting forth with specificity the work-related purposes for which such equipment and access are provided.

### B. **Personal Use**

Personal use means use that is not job-related. In general, incidental and occasional personal use of the Commonwealth's electronic communications tools including the Internet is permitted as long as the personal use does not interfere with the user's productivity or work performance, does not interfere with any other employee's productivity or work performance, and does not adversely affect the efficient operation of the Commonwealth's systems and networks. Personal use of social media that refers to any aspect of the work environment should be done in a responsible and professional manner.

### C. **User Requirements**

## **1. General Requirements**

When using electronic communications tools and social media, users should:

- Follow all applicable Commonwealth policies. Users may not violate any provision of this policy, any supplemental policy adopted by agencies, or any other policy, regulation, law or guideline as set forth by local, State or Federal law (see Code of Virginia [§2.2-2827](#)) This may include but is not limited to copyright laws, trademark laws, and other legislated requirements.
- Be responsible and professional in their activities. Employees should conduct themselves in a manner that supports the mission of their agency and the performance of their duties.
- Exercise the appropriate care to protect the agency’s electronic communications tools against the introduction of viruses, spyware, malware, or other harmful attacks. When using the Commonwealth’s electronic communications tools, social media or Internet access, employees must:
  - Use the Internet, electronic communications tools and social media only in accordance with State and agency policy;
  - Maintain the conditions of security (including safeguarding of passwords) under which they are granted access to such media;
  - Check with the appropriate agency staff prior to downloading or accessing a file or document if the source of the file or other circumstances raises doubts about its safety.
- Be respectful of the agency/organization, other employees, customers, vendors, and others when posting and communicating information. Users should be sensitive to referring to or including others in their communications and posts and should be aware of any associated potential liabilities. Users may desire to obtain consent prior to communicating or posting information about the work place.

## **2. Business Use Requirements**

When using electronic communications tools and social media, users should:

- Use their accurate identities and state their affiliation when using electronic communications or social media for business purposes.
- Ensure the security of sensitive or confidential information when communicating electronically or posting the information on internal or external websites including social media.
- Ensure information is accurate prior to posting on social media sites, state or agency websites, or other electronic media sites. If it is discovered that information is inaccurate after posting, users should work to quickly correct the errors.

## **3. Personal Use Requirements**

When using electronic communications and social media, users should:

- Be clear that their communication or posting is personal and is not a communication of the agency or the Commonwealth when using electronic communications or social media for personal use, including personal use of social media outside of the work environment. For example:
  - Users should use their personal email addresses and not those related to their positions with the Commonwealth when communicating or posting information for personal use.
  - Users may use a disclaimer when posting opinions or views for personal use such as, “The views expressed on this (website, blog, social media site) are my own and do not reflect the views of my employer or of the Commonwealth of Virginia.” when appropriate to ensure these views are not viewed as official Commonwealth of Virginia communications.

#### D. **Prohibited Activities**

Certain activities are prohibited when using the Commonwealth’s Internet and electronic communications media or using social media in reference to the work environment. Employees who engage in prohibited activities may be subject to disciplinary action according to [Policy 1.60, Standards of Conduct](#). Prohibited activities include, but are not limited to:

- Any use that is in violation of applicable local, state, and federal law.
- Accessing, uploading, downloading, transmitting, printing, posting, or storing information with sexually explicit content as prohibited by law (see Code of Virginia [§2.2-2827](#)).
- Accessing, uploading, downloading, transmitting, printing, posting, or storing fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images.
- Installing or downloading computer software, programs, or executable files contrary to the [Virginia Information Technology Agency’s \(VITA\) Information Security Policy, Standards, and Guidelines](#).
- Accessing, uploading, downloading, transmitting, printing, communicating, or posting access-restricted agency information, proprietary agency information, sensitive state data or records, or copyrighted materials in violation of agency or state policy.
- Using proprietary agency information, state data or records, and social media to locate agency customers for personal reasons.
- Posting information or sending electronic communications such as email using another’s identity.

- Permitting a non-user to use for purposes of communicating the message of some third party individual or organization.
- Posting photos, videos, or audio recordings taken in the work environment without written consent.
- Using agency or organization logos without written consent.
- Texting, emailing, or using hand-held electronic communications devices while operating a state vehicle according to the [Office of Fleet Management Services Policies and Procedures Manual](#).
- Any other activities designated as prohibited by the agency.

## AGENCY RESPONSIBILITIES AND REQUIREMENTS

Agencies have the following responsibilities and requirements related to this policy.

### A. Monitor Usage

No user shall have any expectation of privacy in any message, file, image or data created, sent, retrieved, received, or posted in the use of the Commonwealth's equipment and/or access. Agencies have a right to monitor any and all aspects of electronic communications and social media usage. Such monitoring may occur at any time, without notice, and without the user's permission.

In addition, except for exemptions under the Act, electronic records may be subject to the [Freedom of Information Act](#) (FOIA) and, therefore, available for public distribution.

### B. Communication

Agencies are responsible for ensuring employees have access to, read, understand, and acknowledge this policy and any related policies. Agencies may develop a written policy, consistent with this policy which supplements or clarifies specific issues for the agency. With regard to use of electronic communications and social media, agencies are responsible for:

- Communicating this policy and agency policy, if appropriate, to current and new users, including users transferring from other agencies.
- Retaining electronic records in accordance with the retention requirements of the Library of Virginia.
- Requiring and retaining acknowledgement statements, signed by each user, acknowledging receipt of a copy of this policy and agency policy, if appropriate. A sample is attached ([Attachment A](#)) that agencies may use, or they may include the acknowledgement statement with other such statements obtained when employees are hired.

NOTE: Agencies also may develop procedures by which a user must actively

acknowledge reading the policy before access to electronic communications and social media will be granted.

C. **Address Violations**

Violations of this policy must be addressed under [Policy 1.60, Standards of Conduct](#), or appropriate disciplinary policy or procedures for employees not covered by the Virginia Personnel Act. The appropriate level of disciplinary action will be determined on a case-by-case basis by the agency head or designee, with sanctions up to or including termination depending on the severity of the offense, consistent with Policy 1.60 or the appropriate applicable policy.

## GLOSSARY AND RELEVANT TERMS

### **Blog**

A contraction of “web log” that is a website or part of a website with commentary, descriptions of events, or journal type entries usually with an ability for readers to reply and post comments.

### **Computer Network**

Two or more computers that can share information, typically connected by cable, data line, or satellite link.

### **Crowdsourcing**

An open call, usually through an Internet based resource, to an undefined community of people to obtain and use ideas, content, or solutions to business needs.

### **Electronic Communications Tools**

Tools used as a means of sending and receiving messages or information electronically through connected electronic systems or the Internet. Tools may include networked computers, email, voicemail, cell phones, smart phones, any other similar system, and new technologies as they are developed.

### **Internet**

An international network of independent computer systems. The World Wide Web is one of the most recognized means of using the Internet.

### **Microblog**

A form of a blog in which frequent, short updates are posted about specific activities (e.g., Twitter).

### **Photo Sharing**

The online publishing of photographs with the ability to transfer and share the photos with others.

**Podcast**

Digital media file that can be downloaded for playback to computers and personal digital devices.

**Social Media**

Form of online communication or publication that allows for multi-directional interaction. Social media includes, blogs, wikis, podcasts, social networks, photograph and video hosting websites, crowdsourcing, and new technologies as they evolve.

**Social Networking**

Interacting with a group of people with common interests in a virtual environment.

**Users**

All employees of the Commonwealth who use the Commonwealth’s Internet access and/or electronic communications media or external electronic communications media to communicate about the Commonwealth’s activities.

NOTE: Agencies may also require consultants, contract personnel, or other non-employees such as volunteers or interns to abide by this policy.

**Video Sharing**

The online publishing of videos with the ability to transfer and share them with others.

**Wikis**

A collaborative website that allows users to edit materials and information posted and to create collaborative solutions for identified topics.

## ATTACHMENT A

### Use of Electronic Communications and Social Media

#### *CERTIFICATE OF RECEIPT*

I have been given a copy of Department of Human Resource Management Policy 1.75, “Use of Electronic Communications and Social Media” and I understand that it is my responsibility to read and abide by this policy, even if I do not agree with it. If I have any questions about the policy, I understand that I need to ask my supervisor or the agency/institution Human Resource Officer for clarification.

I understand that no user shall have any expectation of privacy in any message, file, image or data created, sent, retrieved, received, or posted in the use of the Commonwealth’s equipment and/or access. Agencies have a right to monitor any and all aspects of electronic communications and social media usage. Such monitoring may occur at any time, without notice, and without the user’s permission.

In addition, except for exemptions under the Act, electronic records may be subject to the [Freedom of Information Act](#) (FOIA) and, therefore, available for public distribution.

If I refuse to sign this certificate of receipt, my supervisor will review this statement with me and will be asked to initial this form indicating that a copy has been given to me and that this statement has been read to me.

Employee's Name: \_\_\_\_\_

Employee Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_