
CITY OF KETTERING — ADMINISTRATIVE POLICIES

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Policy No. 602: Communications

A. Scope:

This Communications Policy ("Policy") provides rules and guidelines for all employees when communicating with the public on behalf of the City of Kettering ("City") via any medium, including, but not limited to: newsletters, articles, brochures, emails, websites, webpages, social media sites, videos, interviews, news releases, or media inquiries.

B. Purpose:

The purpose of this Policy is to maintain a consistent level of professionalism, accuracy, and efficiency among employees as they communicate to the public on behalf of the City in various forms. This Policy's intent is not to infringe upon any of the rights provided by Ohio Revised Code Chapter 4117 or any other legally protected activity. Additionally, this Policy's goal is not to create traditional, designated, or limited public fora through City purchased or leased communications equipment, or through City-operated websites, webpages or social media platforms, such as Facebook, Twitter, blogs, YouTube, or other similar sites. Therefore, to further the purpose of this Policy, employees shall adhere to the rules and guidelines stated herein.

C. Definitions: The terms listed below are used throughout this Policy and shall be defined as follows:

1. *Social Media:* forms of electronic communication, such as Facebook, Twitter, blogs, YouTube, and similar sites, through which users create online communities to share information, ideas, personal messages and other content.
2. *Social Media Account:* A profile established using a social media platform for the purpose of participating in some form of social media activity.
3. *Web Site:* a group of World Wide Web pages usually containing hyperlinks to each other and made available online by an individual or group, company, educational institution, government, or organization.
4. *Web Page:* A document on the World Wide Web, consisting of an HTML file and any related files for scripts and graphics, and often hyperlinked to other documents on the Web.
5. *Media:* a medium of communication that is designed to reach multiple people, such as newspapers, radio, television, or the internet.
6. *Media Release:* an official announcement or account of a news item provided to the media. Also known as a press or news release.
7. *Interview:* a meeting, either in-person or via any form of communication, at which information is obtained from an individual by an interviewer, such as a reporter, journalist, commentator, or pollster.

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8. *Proprietary Information*: Information that is the intellectual property of another, information that is attorney-client privileged, subject to state or federal privacy laws, or information not subject to disclosure under public information laws.

D. Related Policies: This Policy incorporates various aspects of other City policies. For additional rules and guidelines regarding employee communications, employees should review the following:

1. Administrative Policy 609 - Political Activities: Employees shall not use City resources or participate in personal political activity while on City time or while discharging City responsibilities. No employee may act in a manner that suggests that the City either supports a particular candidate or political issue, or endorses the personal political opinions of the employee. Employees may not use their position as a City official or employee to support, endorse, or campaign for any candidate.
2. Administrative Policy 610 - Equal Employment Opportunity, Non-Discrimination, Prohibition against Harassment and Compliance with Employment Provisions of Title I of the Americans with Disabilities Act: Employees shall not publish information that is discriminatory, harassing, threatening, or sexually explicit.
3. Administrative Policy 616 - Technology Usage: City employees may use City technology for personal reasons on a limited basis provided such use does not interfere with their work or pose a risk to the functionality of the City's technological equipment, systems, programs, or the like. The City reserves the right to inspect any electronic data in City-owned computers or related systems.
4. Administrative Policy 813 - Public Records: Employees shall adhere to this Policy when dealing with requests for public records kept by the City. This Policy explains the general requirements of the Public Records Act and establishes procedures to be followed for responding to requests, charging for copies of records, and handling electronic and social media records.

E. Basic Guidelines for Official City Communications:

1. Employees are responsible for communicating basic and routine information to the public in relation to their specific job duties. Requests for confidential information, attorney-client privileged information, or information that falls outside of the scope of an employee's job duties should be routed to the appropriate department or to the Law Department.
2. When communicating on behalf of the City, City employees shall communicate truthful, accurate, and timely information in a professional and respectful manner.
 - a. Employees shall not slant information or attempt to suppress bad news. Such efforts may undermine public confidence in the City.

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- b. Any employee who identifies a mistake in information disseminated to the public must bring the error to the attention of his or her supervisor, Department Director, or other appropriate staff. Corrections must be issued when necessary.
 - c. All communications made by employees must comply with all laws, including, but not limited to: trademark and copyright laws, software use laws, and all City policies, rules, and regulations.
- 3. The City Manager and the Community Information Manager, as well as Department Directors authorized by the City Manager, may communicate on behalf of the City in interviews, publications, media releases, on social media sites, and via similar mediums.
 - a. Other employees may communicate on behalf of the City if authorized by the City Manager, the employee's Department Director, or the Community Information Manager. Such employees shall only communicate on topics that fall within the purview of their official position with the City. In the event any employee is contacted by the media, the Community Information Manager must be notified as soon as practical and prior to conducting any interviews.
 - b. Additionally, employees designated and trained as Public Information Officers for the Kettering Police Department and the Kettering Fire Department may communicate on behalf of the City on topics that fall within the purview of their official position with the City.
 - c. When speaking on behalf of the City in interviews, publications, media releases, social media sites or via similar mediums, employees must identify themselves as representatives of the City.
 - d. If an employee engages in communications with the news media on behalf of the City, the employee's comments shall only include factual and relevant information responsive to the questions posed. Personal opinions of employees are generally inappropriate to provide to the news media. Employees are responsible for any and all comments they make to the news media that have not been previously approved by their supervisor.
 - e. If an employee does not have the requisite knowledge or expertise to effectively communicate to the public or the news media, or if the employee is unsure about his or her authority to communicate on behalf of the City, the employee must help the requesting individual contact the appropriate staff person, supervisor, Department Director, Community Information Manager, Assistant City Manager, or the City Manager.
- 4. Certain circumstances may require employees to temporarily withhold information. Examples may include information related to the following: land acquisitions, disciplinary cases, ongoing investigations, attorney-client privilege, court cases where public statements might compromise the City's position, the preparation of policy statements, or news items that must be timed with particular events. In these instances, employees shall not tell reporters or other inquirers "no comment," but shall provide a reasonable explanation of why information is not

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being released at that time. Questions regarding whether information should be withheld shall be directed to the Law Department and the Community Information Manager.

5. In the case of auto accidents involving municipal vehicles or alleged acts of negligence that might involve liability for the City, all comments or media releases in regard to such an incident shall be examined by the Law Department and the Human Resources Department prior to dissemination to the news media to eliminate any unwarranted admissions of liability on behalf of the City.
6. If a matter seems particularly complex or controversial or if an employee has reason to believe that the news media will inquire about a matter of substantial importance, the employee shall notify the City Manager's office so the City Manager and the Community Information Manager have the information necessary to respond to inquiries or to make a public comment.

F. Media Requests:

1. Definition: Media requests are inquiries from individuals or publications, who intend to disseminate or publish responsive content to the public via any medium, such as television, radio, newspapers, newsletters, and web sites.
2. With the exception of requests for routine or basic information that is readily available to the public, employees must route all media requests for interviews or information to the Community Information Manager.
3. When responding to media requests on behalf of the City, employees shall follow these steps:
 - a. If the request is for routine or basic public information, such as a meeting time or agenda, employees should provide the information requested and notify the Community Information Manager of the request.
 - b. If the request is related to information about City personnel, potential litigation, controversial issues, an opinion on a City matter, or if you are unsure if the request is "routine," forward the request to the Community Information Manager. An appropriate response is, "I am sorry, I do not have full information regarding that issue. Let me take some basic information and submit your request to the appropriate person, who will get back to you as soon as he or she can." Ask for the media representative's name, questions, deadline, and contact information.
 - c. Employees assume full responsibility for the accuracy of the information provided and the consequences for releasing inaccurate or confidential information.
 - d. Unless expressly authorized by the Community Information Manager, employees, acting within the purview of their employment, shall not approach the news media to pitch or suggest stories or other content.

G. Requests for Information

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1. Employees must differentiate between requests for basic information and public records requests.
 - a. *Requests for information* are usually basic questions, not necessarily requiring the production of documents. For example, “Can you tell me if the fitness center has a treadmill?”
 - b. *Public records requests* are usually more formal inquiries requiring the production of documents, such as a request of the Kettering Police Department to provide a copy of an accident report to an individual.
2. An employee’s response to a public records request is guided by Ohio law and City policy. Employee responses to public records requests shall comply with the City’s Administrative Public Records Policy, the Ohio Sunshine Laws, and the Privacy Act. All requests for public records shall be forwarded to the Law Department prior to providing responsive information to the requestor.
3. Specific and/or personal information related to an employee or applicant for employment is not considered basic or routine information and should not be readily released, i.e., names, addresses, phone numbers, personnel records, medical records, salary, etc. Requests for such information should be referred to the Human Resources Department to assure compliance with applicable public information laws and other related civil rights laws and regulations.

H. City Websites, Webpages, and Social Media Sites

1. Community Information Manager
 - a. To ensure that City-sponsored websites, webpages, and social media accounts are implemented consistently and effectively across all City Departments, the Community Information Manager, on behalf of the City Manager, is responsible for the management of the City’s internet presence. All City-sponsored website, webpage, and social media activities shall be reviewed and approved by the Community Information Manager or his or her delegate, including staff requests for the creation of new websites, webpages, and social media accounts or staff requests for the modification of existing City-sponsored websites, webpages, and social media accounts.
 - b. The Community Information Manager shall maintain a list of webpages and social media accounts approved for use by the City and will monitor these sites to ensure adherence to the Policy.
 - c. The Community Information Manager shall coordinate postings on social media accounts with the various City Departments to ensure that content is posted in a relevant, accurate, and timely manner.
 - d. The Community Information Manager shall have the discretion to temporarily or permanently disable or terminate a City or Department website, webpage, or social

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media forum or account at any time. Examples of instances when such action might be taken include, but are not limited to the following: any violation of this Policy, unprofessional use of the resource, lack of use or disinterest by the public, or a Department's failure to maintain a site or forum.

2. Scope of Website, Webpage, and Social Media Use: The City of Kettering's website, www.ketteringoh.org, is the City's primary internet presence. With prior approval of the Community Information Manager, Departments may develop their own web content for use on the City's website and may recommend content to the Community Information Manager on social media accounts to achieve certain business and communication goals including:
 - a. Disseminating time-sensitive information as quickly as possible, such as during public safety emergencies;
 - b. Marketing and promoting City services and products; and
 - c. Requesting relevant public input regarding specific topics such as City projects, programs, and initiatives.
3. General Guidelines - City-sponsored Websites, Webpages, and Social Media Communication: City-sponsored websites, webpages, and social media accounts shall be used exclusively as vehicles for official City communications. The creation, development, and maintenance of any City website, webpage, or social media account must be coordinated with and approved by the Community Information Manager. City-sponsored websites, webpages, and social media accounts must adhere to the following guidelines:
 - a. Purpose: Each City-sponsored website, webpage, and social media account must have a specific objective or focus. Websites, webpages, and social media accounts separate from the City's official website and social media accounts must have a purpose that cannot be accomplished through the City's official sites.
 - b. Internet Security, Privacy, and Accessibility: All City-sponsored websites, webpages, and social media accounts must adhere to all applicable laws, City guidelines, and policies regarding internet security, privacy, and accessibility for the disabled as maintained by the Community Information Manager and Administrative Systems Department.
 - c. Linking:
 - i. The purpose of the City's use of "links" on City-sponsored websites, webpages, and social media accounts is to provide information about City events, services, and official City business to City employees or to the public. The City does not intend to create traditional, designated, or limited public fora through the posting of links on City-sponsored websites, webpages, or social media accounts to third party sites or to other information found online.

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- ii. When possible, information posted on City-sponsored social media accounts should be posted on www.ketteringoh.org, and City-sponsored social media accounts should contain links directly to www.ketteringoh.org.
 - iii. Abbreviated URLs should be avoided.
 - iv. Unless otherwise permitted by this Policy, all hypertext links from City-sponsored websites, webpages, and social media accounts shall only be hypertext links to other City-sponsored websites, webpages, or social media accounts; the websites of government entities; the websites of professional associations of which the City is a dues-paying member; the websites of organizations with which the City has a legal contract that includes linking only as an ancillary term; or to websites that relate to information necessary for City employees to register for and stay informed regarding their standard employee benefits. Hypertext links to websites other than those specified, including links to media outlet websites, are prohibited and may be removed from the City's websites, webpages, or social media accounts at any time.
 - v. "Government entities" includes all federal, state, and local government agencies and all federal, state, and local officials. Examples include, but are not limited to: the State of Ohio, the Federal Bureau of Investigation, the Ohio Department of Transportation, the United States Senate, and the Supreme Court of Ohio.
 - vi. A link to the official Frazee Pavilion online box office may be provided on the official Frazee Pavilion website, www.frazee.com. Web addresses of entertainers contracted with the City to perform at the Frazee Pavilion during the current concert season may be provided on the website as well, but no hypertext links shall be provided.
 - vii. By providing a hypertext link from a City-sponsored website, webpage, or social media account to any other website, webpage, or social media account does not necessarily mean that the City endorses the views or content of those websites, webpages, or social media accounts.
 - viii. All requests to deviate from these guidelines must be approved by the Community Information Manager, and specifically, all requests to place links on City-sponsored websites, webpages, or social media accounts to third party websites, webpages, social media accounts, or to other information found online must also be approved by the Law Department.
- d. Logos, Trademarks, and Design Elements: All City-sponsored websites, webpages, and social media accounts must maintain City standards regarding the use of City logos, trademarks, and other design elements as maintained by the Community Information Manager. Variations of the standards can only be approved by the Community Information Manager.

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- e. Proprietary Information: Information that is proprietary, as defined herein, should *not* be posted on a City-sponsored website, webpage, or social media account. Any questions concerning this standard should be directed to the Community Information Manager or to the Law Department.
 - f. Public Records and Retention: All information posted to City-sponsored websites, webpages, or social media sites, including any comments or content posted by members of the public, shall be retained in accordance with the City's Administrative Public Records Policy and the Public Records Act.
 - g. Management: The Community Information Manager may appoint full-time, exempt staff representatives to continually monitor and address postings, comments and other correspondence on City-sponsored websites, webpages, and social media accounts. *Also, see Section H(4)(b)(2) Public Comments and Interactive Features - Site Monitoring.*
 - h. Contact Information: All City-sponsored websites, webpages, or social media accounts shall have appropriate City contact information prominently displayed. All City-sponsored website, webpage, or social media account names must clearly identify the City and must be approved by the Community Information Manager.
 - i. Political Activity: The City's websites, webpages, and social media accounts will not contain any political information or be used for political activity.
 - j. Passwords and Login Information: All City-sponsored websites, webpages, and social media account login and password information will be shared with the Community Information Manager.
4. Website, Webpage, and Social Media Account Design and Content:
- a. Format and Design: Design elements (logos, background, images) should be appropriate to the subject matter and consistent with the City's design guidelines. Suggestions or recommendations regarding design elements shall be directed to the Community Information Manager.
 - b. Public Comments and Interactive Features: The City does not intend to create traditional, designated, or limited public fora through the operation of City-sponsored websites, webpages, or social media accounts. Thus, City-sponsored websites, webpages, or social media accounts shall not include unrestricted forums, open to any public comment on any topic.
 - i. Define Topic: In the event the City desires to solicit comments from the public via a particular City-sponsored website, webpage, or social media account, a topic should be clearly defined.
 - ii. Site Monitoring: City-sponsored websites, webpages, or social media accounts that allow the posting of public comment or other material must be monitored

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at all times. The Community Information Manager must be notified immediately in the event prohibited material is posted to a City-sponsored website, webpage, or social media account, and the prohibited material must be removed.

- iii. Prohibited Comments: An authorized City staff member shall remove material posted on a City-sponsored website, webpage, or social media account, if the material:
 - A. Falls outside the scope of the defined topic;
 - B. Violates the terms of service of the website, webpage, or social media account;
 - C. Contains non-public or confidential City information;
 - D. Is pornographic, profane, obscene, sexual, or defamatory in nature;
 - E. Promotes or advocates violence or the threat of violence;
 - F. Solicits commerce or promotes private business enterprises;
 - G. Links to other websites, webpages, or social media accounts, unless otherwise permitted under this Policy;
 - H. Promotes illegal activity;
 - I. Compromises the safety or security of members of the public or public systems;
 - J. Appears to violate the legal ownership interests of any other party;
 - K. Violates or appears to violate intellectual property laws;
 - L. Demeans an individual or group of individuals on the basis of race, color, religion, national origin, ancestry, gender, age, disability, or any other characteristic protected by law; or
 - M. Is false, misleading, slanderous, libelous, or deceptive.
- iv. Waiver: The failure of the City to delete any prohibited content, whether posted by an employee or a member of the public, shall not be construed as a waiver of such prohibitions and shall not affect the validity of this Policy or the City's ability to delete such prohibited content in the future.

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- v. Disclaimers: Legal disclaimers, notices, and terms of use are required on every City-sponsored website, webpage or social media account. The Law Department shall be contacted to obtain such language.
 - vi. Membership: Membership to a City-sponsored webpage, website, or a social media account should not be required in order for the public to view the webpage, website, or social media account. Also, in the event the City solicits comments from the public regarding a specific topic on a City-sponsored website, webpage, or social media account, membership should not be required in order to provide such comment. If this is not possible due to the nature of the medium, consult with the Community Information Manager to determine potential alternatives or solutions.
- I. Personal Communications via City Technology or during Work Hours: Employees engaging in personal communications while using City-issued technology or personal technology during work hours should have no expectations of privacy in those communications. Employees must adhere to the following guidelines while engaging in personal communications during work hours:
- 1. In accordance with Administrative Policy 616 Technology Use Policy, Section D(1), employees may use City Technology for incidental personal use; however, employees who use City technology for private, non-work-related purposes do so at their own risk and such use may subject the employee to disciplinary action up to and including termination of employment or loss of authorization of use of City technology. An employee's personal use of City technology that interferes with work responsibilities or that violates City policy is not permitted. *See Administrative Policy No. 616 – Technology Usage.*
 - 2. Employees, elected officials, volunteers, contractors, and vendors shall ensure that their personal communications or correspondence cannot be construed as official communications of the City.
 - 3. Employees must be truthful, courteous, and respectful toward supervisors, co-workers, citizens, customers, and other persons associated with the City. Employees shall not engage in name-calling or personal attacks on others.
 - 4. City resources, working time, and official City positions cannot be used for personal business interests, or to participate in political activity. For example, a building inspector could not use City identification such as a City logo, business card, or City e-mail account to promote his or her side business.
 - 5. Employee questions related to personal communications should be directed to the employee's department director or to the Director of Human Resources.
- J. Personal Communication via Social Media: The following considerations and guidelines apply to employees' personal communications via social media, whether such communications are made during work hours or while off duty:

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1. Considerations prior to Communicating via Social Media:
 - a. Although information may be posted to a “private” website, webpage or social media account, the employee should be aware this information can still be accessed by the public and other sources in a number of ways.
 - b. Deleting information does not necessarily mean it can never be accessed again by anyone. Generally, once any type of information is introduced to the internet, the information becomes a permanent record.
 - c. Employees should have no expectations of privacy in information posted on the internet, even while off-duty. This includes anything posted to a social media website, blog, or other similar forum.
2. Personal Disclaimer: When communicating via social media, employees shall not imply they are speaking on behalf of the City unless authorized to do so.
3. Work-related Complaints: Employees are encouraged to follow internal complaint procedures if they have work-related complaints.
4. Prohibited Conduct: Social media conduct may be evaluated and may result in disciplinary action up to and including termination. Examples of prohibited conduct include, but are not limited, to the following:
 - a. Posting one’s photograph while wearing the City’s uniform (or other similar attire, which could be misidentified as the official uniform);
 - b. Using the City in personal social media account names or personal e-mail addresses, (e.g. lsk8atketteringrec.com);
 - c. Posting pictures, videos, or comments that constitute or could be construed as unlawful behavior;
 - d. Disclosing work-related information that is proprietary in nature. This includes information that may eventually be obtained through a valid public record’s request;
 - e. Knowingly or recklessly posting false information about the City of Kettering, supervisors, coworkers, public officials, or those who have a relationship with the City of Kettering;
 - f. Posting material, in conjunction with any reference to the City of Kettering, that is sexual, profane, obscene, violent, pornographic in nature, or harassing or demeaning to an individual or group of individuals on the basis of race, color, religion, national origin, ancestry, gender, age, disability, or any other characteristic protected by law.
- K. Department Guidelines: Individual departments cannot have more lenient communications policies or guidelines, however, individual departments may submit more stringent policies or

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guidelines than those listed herein to the Law Department, the Human Resources Department, and to the City Manager for review and approval prior to any implementation or adoption of such policies or guidelines.

- L. Reporting Violations: Employees have an affirmative duty to report any conduct that violates this Policy. Therefore, any employee who becomes aware of or has knowledge of material posted to a website, webpage, or social media account that is in violation of this Policy must notify his or her supervisor, Department Director, the Community Information Manager, the Law Department, or the Human Resources Department immediately.
- M. Disciplinary Action: Employees found to have violated any part of this Policy may be subject to discipline up to and including termination. Any deviation from this Policy shall be approved in writing by the City of Kettering Community Information Manager.

The City Manager hereby delegates the appropriate responsibility and authority to administer this Policy to the City's Assistant City Manager, Department Directors, and the Community Information Manager.

APPROVED:

2/25/2020
DATE


Steven E. Bergstresser

Acting City Manager

ISSUED:

2/25/2020
DATE


Sara E. Mills Klein

Director of Human Resources