



SOCIAL MEDIA POLICY

ISSUED: September 29, 2023

EFFECTIVE DATE: October 2, 2023

Approved By: _____

Josh Dobson, Commissioner of Labor

RELATED LAWS, RULES, AND POLICIES:

- A. NCGS Chapter § 132 (N.C. Public Records Act)
- B. NCGS Chapter § 121 (N.C. Archives and History Act)
- C. N.C. Department of Cultural Resources – Digital Records Policies and Guidelines
([Digital Records Policies and Guidelines](#) | [NC Archives \(ncdcr.gov\)](#))
- D. NCDOL Acceptable Use Policy

APPLICABLE FORMS:

- A. NCDOL Acknowledgement of Social Media Policy Signature Page

AMENDMENTS:

October 2, 2023 Initial policy implementation date

POLICY

I. Purpose

This policy will provide guidelines for the use of personal social media platforms for the employees of the N.C. Department of Labor (“NCDOL” or “the Department”).

The Department recognizes that employees have a right to use personal social media outside of their professional duties and responsibilities. The following policy and guidelines govern employees’ personal use of social media platforms in relation to NCDOL.

II. Definitions

- Application/App – a web-based program or group of programs designed for interactive use to perform a basic task or function.
- Discrimination/Harassment – any unsolicited or unwelcome speech or conduct that is based on race, sex, genetic information, religion, national origin, age, color, or disabling condition that creates a hostile work environment or circumstances involving quid pro quo as set out in the State Human Resources Manual.
- Employee – any permanent, temporary, probationary, or time-limited, full-time, or part-time person working for the Department or any contractor providing services to the Department.
- Network/Networking – posting or interacting with individuals or groups in order to exchange information and/or develop professional or personal relationships.
- Social Media – forms of electronic communications that allow user-generated interactions between the media creator and other users. Examples include, but are not limited to: Facebook/Meta, Twitter/X, LinkedIn, Snapchat, YouTube, TikTok, Nextdoor, Vimeo, or Flickr.
- Social Media Account – any account that is registered by an individual, division, section, board, or bureau of the Department on a third-party social media site or platform.
- Work-related – any duty or action pertaining to the business of the Department.

III. Policy Statement

This policy addresses employees' social media use on a personal basis outside of their professional duties within NCDOL.

A. NCDOL Social Media Accounts

The NCDOL Communications Division provides publications and information to the general public and media outlets. The Communications Division also maintains multiple social media accounts to include Facebook/Meta, Twitter/X, Instagram, and YouTube. The purpose of the existence of social media accounts held by NCDOL is to provide additional platforms to share information with the public; messaging on the Department's social media accounts provides the Communications Division with an additional way to interact with stakeholders, other agencies, and the public.

All communication on NCDOL social media accounts shall be professional and shall comply with the Department's policies and expectations. **Like all NCDOL e-mail, communication via Department-related social networking web sites is considered to be a public record.** Such Departmental social media accounts are subject to the N.C. Public Records Act (N.C. Gen. Stat. Chapter 132) and must also comply with the Records Retention Schedule.

B. Use of Personal Social Media

Incidental employee use of personal social media during work hours, such as during lunch or a break and when it does not interfere with the employee's work responsibilities, is permitted. Any other use of personal social media accounts during work hours, outside of the above-stated scope, is prohibited.

C. Professional Use Guidelines

There is currently no statewide professional use policy regarding the use of social media by state employees.

The N.C. Department of Cultural Resources' Division of State Archives provides a document entitled Best Practices for State Agency Social Media Usage in North Carolina. See: <https://archives.ncdcr.gov/best-practices-state-agency-social-media-usage-north-carolina/open>.

D. First Amendment/Freedom of Speech

The First Amendment to the U.S. Constitution provides for freedom of speech. However, there are limits on the types of speech that may be made by employees of state government agencies in relation to the positions they hold in government. The limits include that the employee may speak as a private citizen, but not as a public employee in the course of their employment; and the employee's freedom of speech is limited by the Department's need to preserve efficient governmental functions. Corum v University of North Carolina, 330 N.C. 761 (1992); Pickering v. Board of Education, 391 U.S. 563 (1968).

This policy does not prohibit employees from posting political statements or political stances on personal social media accounts. However, political statements on personal social media accounts may not include references to the employee's employment or position with NCDOL.

E. Separate Personal and Professional Accounts

Employees should avoid blurring their personal and professional lives when administering or interacting with social media platforms. Personal social media accounts must remain personal in nature and may not be used to share work-related information or opinions. This practice helps ensure a distinction between an employee's personal opinion and the Department's opinion. Postings on any personal social media account that relate to or provide information on any current or on-going NCDOL investigations, including both comments and photographs, is **strictly prohibited**.

F. Expression and Representation

Consistent with the law regarding freedom of speech, employees are free to express themselves on personal social media as private citizens on matters of public concern.

This policy serves as a reminder that employees must be cognizant of the potential to blur personal and professional lives through social media. Employee profile information on a personal social media account should strive to accurately reflect their position and status with the Department. Further, employees' personal use of social media as it relates to their employment should be kept to a minimum and employees should use good judgment when posting to personal social media accounts.

G. Disclaimer

All employees should ensure that any work-related posts on personal social media accounts do not create the impression the employee is representing the State of North Carolina, NCDOL, or any division of this Department. A means of ensuring a distinction would be to add the following disclaimer: "The views expressed in this post are my own and do not necessarily represent the position or opinion of NCDOL or any division or bureau of the Department."

H. Confidentiality

When acting in the personal setting, employees may sometimes still be perceived by the public as representing the Department or the State. Employees should avoid commenting on NCDOL business on personal social media.

Employees must refrain from disclosing Confidential, Restricted, Copyrighted material, Trade Secrets, or Proprietary information of NCDOL or of the State of North Carolina. Other appropriate confidentiality requirements may apply depending on the nature of the position. Disclosure of such information may result in legal or disciplinary action, up to and including dismissal.

I. Public Records

Employees are prohibited from using their NCDOL email address to create a personal social media account. A personal social media account is an account which is separate from those for the Department, division, section, board, or bureau, which are managed by the appropriate NCDOL staff.

Any content posted to a personal social media account from a state-owned computer or mobile device may be subject to the N.C. Public Records Act (N.C. Gen. Stat. Chapter 132), as explained in the NCDOL Acceptable Use Policy.

Revision/Review History

Version	Date Approved	Description of Changes
1.0	9/29/2023	Original policy implementation.

ACKNOWLEDGEMENT

I have read the NCDOL Social Media Policy and understand the requirements.

Employee Name: _____

Employee Signature: _____

Date: _____