

SOCIAL MEDIA

The Use and Abuse of Social Media at Work and at Home

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What is Social Media?

- Anything online other than static content where the provider posts and the viewer absorbs
- Websites and applications that enable users to create and share content or to participate in social networking

What (tools)?

Examples of Social Media

- Mobile web
- Blogs
- Social networking
- Widgets
- Wikis
- Video/photo sharing
- Podcasting
- RSS
- Mashups
- Webinars

Why?

- Mission, mission, mission
 - (So keep using older tools, too)
- It's where the people are
 - Over 1,500,000,000 Facebook users
 - Over 555,000,000 Tumblr users
 - Over 400,000,000 Instagram users
 - etc.
- It's where people are talking about us
- It's what the President wants: collaborative, transparent, participatory government

(more) Why?

- Social networking can be a valuable tool
 - Information dissemination
 - Freeing workforce from answering repetitive questions from customers
 - Sharing best practices
 - Information management
 - Electronic learning (any place, any time)

a simple tweet . . .

••• Verizon 3G 8:52 AM @ 77% 🔋

< Tweet 🔍 ✍️

 **Keith M. Dunn**
@keithdunn

He's done it! Jared Campbell
[@derajslc](#) is the first 3-time finisher
of the Barkley Marathons! [#BM100](#)

4/4/16, 10:15 PM

|| VIEW TWEET ACTIVITY

449 RETWEETS 896 LIKES

↩️ ↻️ ❤️ ✉️ ⋮

Reply to Jared Campbell

Home Notifications Moments Messages Me

... shows the reach of social media

Verizon 3G 8:53 AM 76%

🔒 Tweet activity ✕

Keith M. Dunn @keithdunn
He's done it! Jared Campbell @derajslc is the first 3-time finisher of the Barkley Marathons! #BM100

Impressions 77,090
times people saw this Tweet on Twitter

Total engagements 4,944
times people interacted with this Tweet

Detail expands 2,327
times people viewed the details about this Tweet

Profile clicks 991
number of clicks on your name, @handle, or profile photo

Verizon 3G 8:53 AM 76%

🔒 Tweet activity ✕

Profile clicks 991
number of clicks on your name, @handle, or profile photo

Likes 896
times people liked this Tweet

Retweets 449
times people retweeted this Tweet

Hashtag clicks 235
clicks on the hashtag(s) in this Tweet

Replies 39
replies to this Tweet

Follows 7
number of people who followed you directly from this Tweet

oops . . .

Cisco just offered me a job! Now I have to weigh the utility of a fatty paycheck against the daily commute to San Jose and hating the work.

3:17 AM Mar 18th from web



Common Legal Issues

- Intellectual property
- Disparagement and Defamation
- Privacy
- Employment Issues



Intellectual Property

- Copyright holders have exclusive right to use of and reproduction of work
- Uploading a video, re-posting an article, even blogging about another person's written materials may violate copyright
- Trademark holders face dilution of their trademark if used without proper designation; hence, trademark holders protect their trademark vigorously
- Use of a trademarked product without appropriate “™” or “®” may dilute trademark

Defamation/Libel

- Avoid intentionally or potentially harmful statements about others
- Use “cooling off” periods when responding to posts or on emotionally charged issues
- Social networking is not private, even if marked as such
- Social networking sites are subject to discovery in litigation
- Information may be permanently publicly accessible
- Improper actions could result in lawsuits

Privacy

- Individuals have some right to privacy
- Avoid public shaming
- Obtain permission of individuals before discussing information on social networks, or discuss own actions only.
 - Does information belong in the public domain?
 - Appropriate audience/forum?
- Communications on government networks are subject to monitoring

Inaccurate Information

- Employees' actions and words reflect on employer
 - Be cautious of information (stand alone and in comparison with “real world” statements)
- Concentrate on areas of expertise
- Review work prior to posting
- Others may rely on inaccurate information (whether initiated by your post or lack of response)

Employment

- Avoid the temptation to “research” potential or new candidates or “problem” employees
- Follow job announcement & standard hiring procedures for candidates
- Civilian personnel actions must comply with Title 5, OPM & agency regulations
- Leave background checks to the security offices

Other Legal Considerations

The rules do not change just because you are on social media!

- Ethics regulations
- Hatch Act
- Privacy Act
- etc.



**KEEP
CALM
&
FOLLOW
THE RULES**

The Standards of Conduct as Applied to Personal Social Media Use – OGE Legal Advisory 15-03, April 9, 2015

- Adopts a totality of the circumstances test when using official title in social media
- Official time must be used to perform official duties
- Liking or endorsing someone else is not necessarily a prohibited endorsement
- Employees who are seeking or negotiating for employment through social media must comply with applicable disqualification requirements
 - Posting a resume in and of itself is not considered seeking employment
 - Receiving an unsolicited message or job offer is not seeking employment unless the employee responds with anything other than a rejection
- Do not disclose nonpublic information
- Personal fundraising is allowed; must comply with applicable Standards of Conduct provisions

Political Activities

- Guidance for use of social media for political purposes by members of the Armed Forces is provided in DOD Public Affairs Guidance Concerning Political Campaigns and Elections
- Guidance for use of social media for political purposes by civilian employees is provided in OSC's Frequently Asked Questions at osc.gov (updated November 2015)



Notable Changes to OSC's FAQs

- Federal employees may display campaign logos or candidate photos as their header on personal Facebook or Twitter accounts
- If a federal employee displays a campaign logo or candidate photo as their profile picture they may not post, share, tweet, or retweet any items on Facebook or Twitter while in the workplace
- Note: no federal employee may “like” a post soliciting for partisan political contributions at any time

Official Use of Social Media



- DoD Instruction 8550.01
- DoD Public Affairs Guidance for Official Use of Social Media, April 29, 2016

Establishing an Initial Presence

- Obtain approval from the responsible DoD Component Head
 - Procedures for applying for an official social media account are in DoDI 8550.01, Enclosure 3
- Seek advice of the agency Terms of Service Point of Contact to be sure the agency already has signed a federal-compatible TOS
- Register the account

Maintaining an Official Presence

- Clearly identify DoD affiliation
- Appropriate content
 - Do not post graphic, obscene, graphic or racist comments
 - Do not post details about ongoing investigations, legal, or administrative proceedings
 - Do not post copyrighted or trademarked content without permission
- Records Management Requirements

Additional Best Practices

- Correct mistakes; be transparent
- Safe practices:
 - Use a strong password
 - Limit the number of people who have the password
 - Change the password regularly
 - Use government email addresses for official accounts
 - Report security violations through the DoD chain and also to the social media provider

Safe Surfing

- Secure wireless routers
- Use regularly updated security software
- Have strong passwords; do not make them all variations of the same thing
- Do not open links from unknown sources
- Be wary of fraudulent websites, particularly those that mirror banks, etc.
- Be knowledgeable about types of cyberattacks
 - Spamming
 - Phishing

A Few Reminders . . .

- Employees are required to use time, equipment for official purposes (JER)
- Use personal Facebook, Twitter, etc. accounts on your own time
- Don't combine personal & professional information
- Productivity is measurable by supervisors
- Spikes in activity, bandwidth measurable by IT dept.
- Many agencies require computer users to sign statements re: authorized usage, monitoring

Remember:

- Advantages to social networking -- serves valuable communication, informational, marketing objectives
- Use caution with social networking, user generated content, and wikis
- Ten seconds to post, permanent archives/public access
- When in doubt – don't!