



Policy Name:	Social Media Policy for Employees, Official Student Clubs, Organizations and Athletics Teams		
Associated Form(s):	Acknowledgement and Receipt of Policy	Policy Number:	2022-9
Reviewed:	Non-Academic Policy Committee	Approved:	May 13, 2022
Approval Authority:	President 	Adopted:	June 10, 2022
Responsible Executive(s):	1. Vice President for Enrollment Management 2. Chief Advancement Officer 3. Vice President for Student Affairs	Revised:	N/A
Responsible Office(s):	1. Public Relations 2. Marketing 3. Student Affairs	Contact(s):	1. Director of PR 2. Digital and Social Media Manager 3. Associate Dean of Student Affairs

I. Purpose

Mercy University recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, LinkedIn, Twitter, Instagram, Pinterest, TikTok, blogs, and wikis. However, use of social media by employees and official University student clubs, organizations and athletic teams can pose risks to Mercy's confidential and proprietary information, reputation, and brands, can expose the University to discrimination and harassment claims, and can jeopardize the University's compliance with business rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the University's Information Technology (IT) resources and communications systems are used appropriately as explained below, Mercy University expects its employees and official student clubs, organizations and athletic teams to adhere to the following guidelines and rules regarding social media use.

Apart from personal use of social media in accordance with this Policy, the University encourages its employees and students to participate responsibly in these media as a means of generating interest in Mercy's academic programs and promoting the University, so long as all of Mercy's rules and guidelines regarding social media usage are adhered to. If you are required to use social media as part of your job duties, please refer to the section entitled "Business Use of Social Media" below.

II. Compliance with Related Policies and Agreements

All of Mercy's other policies that might apply to social media use remain in full force and effect. Employees and students should always adhere to them when using social media. In particular, the following policies should be kept in mind:

- Mercy's Acceptable Use of Computer and Network Resources; and
- Confidential Information Policy

Social media should never be used in a way that violates any other University policies or employee obligations. If your social media activity would violate any of Mercy's policies in another forum, it will also violate them in an online forum. For example, employees and students are prohibited from using social media to:

- Violate IT, Network and Communications policies
- Violate Mercy's confidentiality and proprietary rights policies
- Circumvent Mercy's code of conduct policies

- Engage in unlawful harassment
- Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment
- Violate Mercy's privacy policies (for example, never access private password-protected sites of coworkers or other University community member without permission)
- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself)

Employees should also never provide references or recommendations on social or professional networking sites, as such references or recommendations can be attributed to Mercy University and create legal liability for employees and Mercy University (such as interference with prospective business contracts and allegations of wrongful termination).

Employees should always disclose that they are employees of Mercy University when promoting the University on social media platforms.

Employees and students who violate University policies may be subject to discipline, up to and including suspension or termination of employment for employees, suspension or expulsion for students. Those who post on official Mercy University social media web pages in violation of this Policy may lose access to those media, and/or those media pages/sites may be closed or shut down by the University.

III. Personal Use of Social Media

We recognize that employees occasionally may desire to use social media for personal activities at the office or by means of the University's computers, networks, and other IT resources and communications systems. We authorize this use during nonworking time so long as it does not involve vulgar, obscene, threatening, intimidating, or harassing content, false or malicious statements, does not violate any other University policies or employee obligations, and does not interfere with your employment responsibilities or productivity. Circulating or posting commercial, personal, religious or political solicitations, chain letters, spam, or promotion of outside organizations unrelated to University business are also prohibited during working time, unless otherwise protected or required by law.

IV. No Expectation of Privacy

All contents of University's IT resources and communications systems are the property of Mercy University. Therefore, employees and students should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post,

conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on Mercy's electronic information and communications systems. See *the University's Acceptable Use of Computer Network and Resources Policy*, Section 3 relating to Privacy and Electronic Monitoring.

V. Business Use of Social Media by Employees, and Student Clubs, Organizations and Athletic Teams

If you are required to use social media as part of your job duties for Mercy's admissions, marketing, public relations, recruitment, or other business purposes, or you utilize social media of the University as part of being an officially sanctioned Mercy University student club, organization or athletic team, you should carefully review the University's Social Media Guidelines, set forth in Section VI. below. Note that Mercy University owns all social media accounts used on behalf of the University or otherwise for business purposes, including any and all log-in information, passwords, and content associated with each account, such as followers and contacts. Mercy University owns all such information and content regardless of the employee or student that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with the University, or student's enrollment status with the University. If your job duties require you to speak on behalf of Mercy University in a social media environment, or it is part of your role with the student club, organization, or athletic team, you must still seek approval for such communication from your manager or Student Life leader, who may require you to receive training before you do so and impose certain requirements and restrictions regarding your activities. Likewise, if you are contacted for comment about Mercy University for publication, including in any social media outlet, direct the inquiry to Mercy's Director of Public Relations and do not respond without written approval.

VI. Guidelines for the Responsible Use of Social Media

The above material covers specific rules, policies, and contractual obligations that employees must follow in using social media, whether for personal or business purposes, in consideration of their employment. Employees may be subject to discipline for violations. This also applies to students that are associated with officially sanctioned University groups. The following sections of the Policy provide employees with common sense guidelines and recommendations for using social media responsibly and safely, in the best interests of Mercy University. These guidelines reflect the "duty of loyalty" all employees and students who have access to the University's official social media, owe, and are intended to add to, not contradict, limit, or replace, applicable mandatory rules, policies, legal requirements, legal prohibitions, and contractual obligations.

A. Protect the University's Goodwill, Brands, and Business Reputation.

You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses (including the University itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content.

- Make it clear in your social media activity that you are speaking on your own behalf. Write in the first person and use your personal email address when communicating via social media. Never post anonymously to social media sites when your post could be attributed to the University.
- When you disclose your affiliation as an employee or student of Mercy University, it is recommended that you also include a disclaimer that your views do not represent those of the University. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of Mercy University."
- Use good judgment about what you post and remember that anything you say can reflect on Mercy University, even if you do include a disclaimer. Always strive to be accurate in your communications about Mercy University and remember that your statements have the potential to result in liability for you or the University. Mercy University encourages professionalism and honesty in social media and other communications.

B. Respect Intellectual Property and Confidential Information.

Mercy's Confidential Information Policy and Agreement restricts employees' use and disclosure of the University's trade secrets, confidential information, and intellectual property. Beyond these mandatory restrictions, you should treat the University's trade secrets, intellectual property, and other proprietary information about the University, as well as student, alumni and employee records as confidential and not do anything to jeopardize or unwittingly disclose them through your use of social media. In addition, you should avoid misappropriating or infringing on the intellectual property of other colleges/universities and individuals, which can create liability for yourself and for Mercy.

Respect laws regarding copyrights, trademarks, and other third-party rights. To protect yourself and the University against liability for copyright or trademark infringement, where appropriate, reference sources of particular information you post or upload and cite them accurately. If you have any questions about whether a particular post or upload might violate the copyright or trademark of any person or University, ask Mercy's legal department before making the communication.

C. Respect and Comply with Terms of Use of All Sites You Visit.

Do not expose yourself or Mercy University to legal risk by using a social media site in violation of its terms of use. Review the terms of use of all social media sites you visit and ensure your use

complies with them. If you are using social media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the social media site, including prohibitions or restrictions on use for advertising, marketing and promotions, or other commercial purposes (for example, Facebook's Statement of Rights and Responsibilities (its terms of use) and its Promotional Guidelines specify the terms for businesses administering promotions through Facebook).
- Ownership of intellectual property used on, or information collected or generated through use of, the site (for example, any of the University's copyrighted material and trademarks that might be posted on the site, or user information the University collects through the site).
- Requirements for licenses or other permissions allowing use by the site owner and other third parties of the University's trademarks or other intellectual property.
- Privacy rights and responsibilities of the site owner and users.

D. Respect Others.

In addition to complying with the University's mandatory Sexual Misconduct Policy and Non-Discrimination and Equal Opportunity Policy, do not post, or express a viewpoint on another's post, such as by "liking" a Facebook post, anything that any Mercy University community members, including students, would find offensive, including ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity, or that is maliciously false. Supervisors should refrain from trying to connect with their direct reports on social media sites (for example, making friend requests on Facebook). However, direct reports may request connections with supervisors. Neither supervisors nor direct reports should feel pressured to accept any social media requests from anyone at the University.

VII. Employees Covered Under a Collective Bargaining Agreement and Protected Activity

The employment terms set out in this Policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreements that the UAW and SEIU unions have with the University. Employees should consult the terms of their collective bargaining agreement. Wherever employment terms in this Policy differ from the terms expressed in the applicable collective bargaining agreement with Mercy University, employees should refer to the specific terms of the collective bargaining agreement, which controls.

This Policy is not intended to restrict communications or actions protected or required by state or federal law. Further, this Policy is not intended to preclude or dissuade employees from engaging

in legally protected activities/activities protected by state or federal law, including the National Labor Relations Act, such as discussing wages, benefits, or other terms and conditions of employment, forming, joining or supporting labor unions, bargaining collectively through representatives of their choosing, raising complaints about working conditions for their own and their fellow employees' mutual aid or protection, or legally required activities.

Acknowledgment of Receipt and Review

I, _____ (employee or student name), acknowledge that on _____ (date), I received and read a copy of Mercy's University's Social Media Policy and understand that it is my responsibility to be familiar with and abide by its terms. This policy is not promissory and does not set terms or conditions of employment or create an employment contract. I understand that violation of this Policy could lead to disciplinary action, including but not limited to suspension or termination for employees, or suspension or expulsion for students, and/or removal and/or denial of access to official Mercy University social media, including closure of social media pages/sites if necessary.