LOWELL LIGHT AND POWER

SOCIAL MEDIA POLICY

PURPOSE

Intent: This Social Medial Policy (the "Policy") is intended to establish guidelines for Lowell Light and Power's ("LL&P") use of social media platforms to promote the effective and proper use of social media platforms to promote accurate and reliable communication with its customers and the public.

Applicability: This Policy applies to all LL&P Board members, employees, contractors, officials, and other such staff (collectively referred to as "Employees"). This Policy also governs comments by the public on LL&P-maintained social media sites.

For purposes of this Policy, "social media" shall include all websites and applications that enable users to create and share content or to participate in social networking, including but not limited to, Facebook, X, Instagram, YouTube, podcasts, blogs, videos, photos, and online posts to newspaper articles.

GENERAL PROVISIONS

Establishment of LL&P-Maintained Social Media

1. The establishment of LL&P-maintained social media sites is subject to the approval of the LL&P General Manager.

2. Administrative access to LL&P social media accounts will be limited to the LL&P General Manager, Communications Specialist, HR & Administrative Assistant, and any other designated Employees by the General Manager.

3. All LL&P social media sites shall clearly state that they are maintained by LL&P and shall contain a link to this Policy.

4. The LL&P General Manager reserves the right to terminate any LL&P social media site at any time without notice, and to block any user who engages in posting obscene, lewd, lascivious, filthy, excessively violent, or harassing, material.

Compliance with Applicable Laws and Requirements

1. LL&P social media sites shall be managed consistently with the Open Meetings Act, Act 267 of 1976, as amended ("OMA"), and shall be subject to Michigan's Freedom of Information Act, Act 442 of 1976, as amended ("FOIA"). Any content maintained on a LL&P social media site that is related to LL&P business, including posted communication, may be considered a public record and subject to public disclosure.

2. LL&P social media sites shall comply with usage rules and regulations required by the site provider, including privacy policies, and shall adhere to all applicable federal, state, and local laws, regulations, and policies.

3. LL&P prohibits the taking of any retaliation action against an Employee for reporting a possible violation from this Policy or from cooperating in any investigation related to it. Any Employee who retaliates against another for such conduct may be subject to disciplinary action, up to and including termination.

4. Content posted to official LL&P social media sites shall not be a substitute for any public notice requirements mandated by federal, state, or local law.

LL&P POSTS

The goal of LL&P-maintained social media sites is to serve as an online information source focused on LL&P issues, projects, news, and events. These sites are not intended to create a public forum. Use of the LL&P social media sites are a privilege, not a right. LL&P social media sites are not mandated by law, and are intended to supplement, not replace legally required notices. They may be removed, terminated, or discontinued at any time.

The content of LL&P social media postings shall pertain to LL&P-related news, issues, programs, meetings, services, and events. Content can include, but is not limited to, information, photographs, videos, and hyperlinks. Wherever possible, links to more information will direct users back to the LL&P's official website.

Postings may not contain any personal information except for the names of Employees whose job duties include being available for contact by the public. Postings may not contain any confidential LL&P information including, but not limited to, pending litigation, personnel matters, or information exempt from disclosure under FOIA.

Any Employee authorized to post items on any of LL&P-maintained social media sites shall do so for authorized LL&P business only. While posting on behalf of LL&P, Employees shall not express personal or political views or concerns through such postings. All postings on any LL&P-maintain social media site shall reflect only official goals, objectives, policies, and views of LL&P. Employees who are authorized to post on LL&P's behalf must ensure that the communication is honest, professional, factual, and accurate and that it is consistent with LL&P's values and professional standards as determined by the General Manager and Board of Directors.

LL&P reserves the right to monitor, prohibit, restrict, block, suspend, terminate, delete, or discontinue an Employee's access to any social media sites on any LL&P-owned equipment or account at any time, without notice and without cause in its sole discretion. Employees do not have any right to or expectation of privacy with respect to their use of social media on LL&P-owned equipment. Further, all passwords to access LL&P-owned equipment or LL&P-maintained social media accounts must be maintained by the Employee and recorded with the LL&P General Manager. The LL&P Manager must be informed of any password changes within 24 hours of the change.

EMPLOYEE'S PERSONAL POSTS

Any such postings must be made on an Employee's personal equipment and on personal time.

If the personal posting relates to the LL&P in any way, it must include the following disclaimer:
"This posting represents my own views and does not represent Lowell Light and Power's position or opinion in any way."

Posting may not include any confidential or personal information about any Employees that is not otherwise generally available to the public.

Employees must be respectful to others involved with LL&P. For example, prohibited activity includes statements, photographs, videos, or audios that could be viewed as malicious, obscene, threatening, or intimidating, or that could be viewed as disparaging or harassing Employees or other individuals involved with LL&P. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or other status protected by law or LL&P policy.

NOTHING IN THIS POLICY SHALL BE INTERPRETED OR APPLIED TO LIMIT OR INTERFERE WITH AN EMPLOYEE'S RIGHT TO ENGAGE IN LAWFUL ACTIVITIES PROTECTED BY STATE OR FEDERAL LAW, OR FROM DISCLOSING NON-CONFIDENTIAL AND NON-PROPRIETARY INFORMATION PURSUANT TO THEIR LAWFUL RIGHT TO DO SO.

PUBLIC USER POSTS

The following terms of use shall apply to any users of LL&P-maintained social media sites.

LL&P welcomes comments and questions from the public on its social media sites. The site is intended to serve as a mechanism for communication between LL&P and members of the public. **Users are hereby notified that any posted content may be a public record subject to public disclosure under FOIA.** Users are also expected to comply with the following rules and understandings:

1. Communications made through social media sites shall in no way be deemed to constitute legal notice to LL&P or any of its officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against LL&P or any of its agencies, officers, employees agents, or representatives, where notice to LL&P is required by any federal, state or local law, or rule/regulation.

2. LL&P shall have full permission or rights to any content posted by LL&P, including, but not limited to, photos and videos.

3. **Comments posted to any of the LL&P-maintained social media sites will be monitored, and LL&P reserves the right to remove, or block users who post, in its sole discretion, certain forms of published content, including, but not limited to, the following**:

a. Activity that would be excluded from the Constitutional protections of the First Amendment, including activity that would be considered defamatory, obscene, indecent, hate speech, or fighting words;

b. Activity that the author does not have the necessary rights, licenses, and consents to post;

c. Activity that constitutes spam, incoherent or excessive links or codes, unauthorized advertising, or solicitation;

d. Activity that contains sensitive or personally identifiable information or otherwise invades another individual's privacy; and

e. Activity that violates or encourages the violation of any applicable state or federal law or regulation.

f. Activity that would be considered obscene, lewd, lascivious, filthy, excessively violent, or harassing in nature.

Comments that are removed from a LL&P social media site shall be documented and recorded. The comment and surrounding context, as well as who removed the comment and the reason for removal, shall also be recorded and retained in accordance with any applicable FOIA and document retention requirements and may be used against the individual or entity who posted it in a court of law.

A comment posted by a member of the public on a LL&P social media site is the opinion of the commentator or poster only, and the posting of a comment does not imply endorsement of, or agreement by, LL&P, nor do such comments necessarily reflect the opinions or policies of LL&P. LL&P does not guarantee the authenticity, accuracy, appropriateness, or security of external links, websites, or linked content. LL&P reserves the right to remove ANY content, and to block any user, without notice and permanently, that violates this use policy.