



# North Carolina Department of Public Safety Prisons Policy Summary Sheet

## Conduct of Employees

Chapter: A

Section: .0200

<b>Current Review Date:</b>	<b>July 08, 2020</b>
<b>Reviewed By:</b>	<b>Prisons Administrative Services</b>
<b>Next Review Due:</b>	<b>July 08, 2021</b>

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<b>Current Revision Date:</b>	<b>July 08, 2020</b>
<b>Supersedes Revision Dated:</b>	<b>February 01, 2016</b>

### Current Revision Summary (if applicable):

**Added:** References

Related ACA Standard

5th Edition Standards for Adult Correctional Institutions 5-ACI-1C-09,

5-ACI—1C-16, 5-ACI-1C-22

All current changes are highlighted in yellow. General changes throughout policy include changing “Prisons” to “Division of Prisons”, “Inmate” to “Offender,” “his/her” to “their,” “he or she” to “they,” and “Director” to “Commissioner” Other minor grammatical corrections made where necessary.

### Specific Changes

#### **.0202 CONDITIONS OF CONTINUED EMPLOYMENT**

Page 1 (a) Modified by removing “detailed in DPS Personnel policy in the Disciplinary Policy and Procedure section. Employees are, in accordance with that personnel policy,” and “this investigation” Added “As a” and “an internal investigation into an employee’s conduct.”

Page 1 (b) Removed “Personnel policy in the Disciplinary Policy and Procedure section, the Drug Testing section,” and “the Alcohol and Drug Testing section.” Added “Drug and Alcohol Free Workplace and Testing.”

Page 2 (d) (2) Changed “Auxiliary Services Director” to “Director of Administrative Services.”

## **.0203 SOCIAL NETWORKING/MEDIC, PERSONAL WEB PAGES/SITES, AND OTHER MEDIUMS OF COMMUNICATION**

Page 8 (b) (2) Added “social networking, wikis, photo-sharing, video-sharing.”

Page 8 (c) Added new paragraph “Prisons recognizes that its employees may use social media on a personal basis outside of their professional activities. The following guidelines and restrictions govern Prisons employees’ personal use of social media sites.” Modified (1) by removing “Prisons employees have the right to use social networking, social media and personal web pages/sites.” to “Prisons employees are cautioned that their personal social media posts or comments can be used to impeach their credibility or be used as evidence of misconduct that may affect their employment. Prisons may access any information created, transmitted, downloaded, exchanged, or discussed in a public online forum at any time without giving prior notice to its employees. Personal posts can serve as the basis for employee discipline even if they are purely personal in nature.”

Page 9 (2) Modified by removing “Prisons employees who use social networking, social media or personal web pages/sites or other types of internet posting shall not identify themselves directly or indirectly as an employee of the Department or Prisons” and adding “Prisons employees are free to express themselves on social media sites as private citizens. However, this right is limited when Prisons’ interests, as an employer and in promoting the efficiency of the public services it performs through its employees, outweigh the employee’s interest in commenting upon a particular matter. Such instances will be reviewed on a case-by-case basis, and may result in disciplinary action. Examples include, but are not limited to, instances when an employee’s speech: a) Interferes with the Department’s ability to discipline its employees; b) Negatively impacts the harmony amongst the Department’s employees; c) Has a detrimental impact on the close working relationships among the Department’s employees where loyalty and confidences are necessary; d) Impedes the Department’s ability to perform its duties; e) Interferes with the Department’s ongoing operations and working Relationship with other agencies; f) Undermines the Department’s mission; g) Conflicts with the employee’s responsibilities within the Department; or h) Amounts to abuse of the employee’s authority.”

Page 9 (3) Modified by removing “Photographs or other depictions of the Department, Prisons uniforms, badges, state cars or state equipment or any other item or material which is identifiable to as belonging to or associated with the Department or Prisons shall not be used on the employee’s internet postings” and added “Prisons employees are further advised that their posts or comments on social may impact their personal safety. Caution should be utilized when disclosing their employment with NCDPS or displaying Prisons’ logos, uniforms, badges, state cars, state equipment or similar identifying items.”

Page 9 (4) Modified by removing the entire sentence “Prisons employees may not represent their opinions or comments as those of the Department, and/or Prisons or as an employee of the Department or Prisons” and replaced with bullet point number (5) verbiage in combination with “In a publicly accessible forum, the disclosure and/or discussion of security sensitive, proprietary or classified information is strictly prohibited. Employees must act responsibly with the information with which they are entrusted.

Failure to comply with these provisions may result in disciplinary action up to and including dismissal.”

Page 9 (5) Replaced with the verbiage from number (6) “Prisons employees are prohibited from posting, broadcasting, or disseminating any material, comments, pictures, artwork, video or other references that are sexual, violent, racial, or ethnically derogatory on social networks, social media, personal web pages/sites, or other social mediums of communications.”

Page 9 (6) All new verbiage added “Prisons employees may use personal social media platforms for limited personal communications while at work. However, such use must be in compliance with the Department’s Internet Acceptable Use Policy and Email Acceptable Use Policy.”

Page 10 (7) Removed verbiage which stated “Prisons employees are prohibited from joining, liking, posting, broadcasting, or otherwise disseminating any material, comments, pictures, video or other references that brings discredit to or may adversely affect the efficiency or integrity of the Department and/or Prisons or employees of the Department or Prisons using social networks, social media, personal web pages/sites, or other social medium of communications.” Removed verbiage from number (8) “Prisons employees must adhere to the Department “Internet Acceptable Use” policy in regards to accessing social networks/media, personal web pages/sites, or other mediums of communication while on duty unless the employee is conducting an approved internal or administrative functions/investigation.”

New verbiage for bullet point (7) by combining (9) which states “Prisons employees found to be in violation of the Prison’s policy on social networking/media, personal web pages/sites, and other mediums of communication will be disciplined in accordance with Department personnel policy up to and including dismissal. Employees must remember that they may be perceived by the public as representing DPS and State government as a whole when discussing DPS activities. a) To ensure a distinction between personal and agency views, it is recommended that employees add a disclaimer to their personal social media sites indicating that the opinions or views expressed therein are those of the employee alone and do not represent the views of DPS or any Division or Section. b) The following is example disclaimer language that can be used: “The views expressed on this page are my own and do not necessarily represent the position or opinion of DPS or any Division or Section within.”

*Stephanie P. Hubbard*

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Correctional Planner II

July 08, 2020

Date