

Haym Salomon

SOCIAL MEDIA POLICY AND PROCEDURE

PURPOSE

Haym Salomon (the "Facility") 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, Twitter, blogs, and wikis. However, Associates' (as defined below) use of social media can pose risks to the Facility's confidential and proprietary information, reputation, and brands, can expose the Facility to discrimination and harassment claims, can jeopardize the Facility's compliance with rules and laws, and can violate residents' privacy.

POLICY

To minimize these business and legal risks, to avoid loss of productivity and distraction from Associates' job performance and to ensure that the Facility's IT resources and communications systems are used appropriately as explained below, the Facility expects any and all owners, directors, officers, clinical staff, employees, independent contractors, consultants, and others currently or potentially working for the Facility ("Associates") to comply with and to adhere to the following guidelines and rules regarding use of social media.

PROCEDURE

I. Compliance with Related Policies and Agreements

- A. All of the Facility's other policies that might apply to use of social media remain in full force and effect. Associates should always adhere to them when using social media. Social media should never be used in a way that violates any other the Facility policy or any Associate obligations. For example, Associates are prohibited from using social media to:
 - a. Violate the Facility's IT resources and communications systems policies.
 - b. Violate the Facility's confidentiality and proprietary rights policies.
 - c. Circumvent the Facility's ethics and standards of conduct policies.
 - d. Engage in unlawful harassment.
 - e. Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment.

- f. Violate the Facility's privacy policies.
- g. Violate the privacy of any resident.
- h. Violate any other laws or ethical standards.

B. Employees who violate the Facility policies may be subject to discipline, up to and including termination of employment.

II. Personal Use of Social Media

Personal use of social media is never permitted on working time by means of the Facility's computers, networks, and other IT resources and communications systems.

III. No Expectation of Privacy

All contents of the Facility's IT resources and communications systems are the property of the Facility. Therefore, Associates 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 the Facility's electronic information and communications systems.

Additionally, in order to prevent misuse, the Facility reserves the right to monitor, intercept, and review, without further notice, every Associate's activities using the Facility's IT resources and communications systems, including but not limited to social media postings and activities. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, messages, communications, postings, log-ins, recordings, and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

The Facility also may store copies of such data or communications for a period of time after they are created, and may delete such copies from time to time without notice.

IV. Business Use of Social Media

Associates that are required to use social media as part of their job duties for the Facility's marketing, public relations, recruitment, corporate communications, or other business purposes should note that the Facility owns all social media accounts used on behalf of the Facility or otherwise for business purposes, including any and all log-in information, passwords, and content associated with each account, such as followers and contacts. The Facility owns all such information and content regardless of the Associate that opens the account or uses it, and will retain all such information and content regardless of separation

of any Associate from employment with the Facility. If Associates' job duties require them to speak on behalf of the Facility in a social media environment, they must still seek approval for such communication from their supervisor, who may require them to receive training and impose certain requirements and restrictions with regard to their activities. Likewise, if Associates are contacted for comment about the Facility for publication, including in any social media outlet, the Associate must direct the inquiry to their supervisor and not respond without the Facility's written approval.

V. Guidelines for Associates' Responsible Use of Social Media with Regard to the Facility

The above material covers specific rules, policies, and contractual obligations that Associates must follow in using social media, whether for personal or business purposes, in consideration of their employment and subject to discipline for violations. The following sections provide Associates with common-sense guidelines and recommendations for using social media responsibly and safely, in the best interests of the Facility. These guidelines reflect the "duty of loyalty" every Associate owes its employer, 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 Facility's Goodwill, Brands, and Business Reputation. Associates are personally responsible for information that they communicate in their personal social media that relates to the Facility.
- B. Respect Intellectual Property and Confidential Information. The Facility's Code of Conduct restricts Associates' use and disclosure of the Facility's confidential information and intellectual property. Thus, Associates must ensure that the Facility's confidential information and intellectual property are not jeopardized through the Associate's use of social media. Associates should also avoid misappropriating or infringing the intellectual property of other companies and individuals, which can create liability for the Associate and for the Facility.
- C. Respect and Comply with Terms of Use of All Sites Visited. Associates shall take care not to expose themselves or the Facility to legal risk by using a social media site in violation of its terms of use. Associates that use social media as part of their job duties should pay particular attention to terms relating to:

- a. 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.
 - b. Ownership of intellectual property used on, or information collected or generated through use of, the site.
 - c. Requirements for licenses or other permissions allowing use by the site owner and other third parties of the company's trademarks or other intellectual property.
 - d. Privacy rights and responsibilities of the site owner and users.
- D. Respect Others. Associates should not post anything that the Facility's customers, clients, business partners, suppliers, or vendors would find offensive, including ethnic slurs, sexist comments, discriminatory comments, insults, or obscenity.
- E. Under no circumstances may Associates post fake blogs, create false positive or fake negative reviews of the Facility, its affiliates, policies, services and physicians or its competitors; nor may Associates impersonate someone associated with or speaking about the Facility.
- F. Associates may not use the Facility network logos, trademarks, or proprietary graphics that would create the appearance they are speaking on behalf of the Facility without prior authorization from appropriate the Facility management.
- VI. Guidelines for Associates' Responsible Use of Social Media with Regard to Residents
- A. Associates may not use or disclose any patient identifiable information of any kind, including resident images, on any social media platform or smartphone application without the express written authorization of the resident. Even if a resident is not identified by name within the information at issue, if there is a reasonable basis to believe that the resident could still be identified from that information, then its use or disclosure could constitute a violation of the Health Insurance Portability and Accountability Act (HIPAA), state law, and/or the Facility policies. Additionally, online activities regarding residents that may compromise a resident's personal dignity or otherwise make them question the confidentiality of the services provided by the Facility are prohibited.

- B. Associates are prohibited from transmitting any information that may be reasonably anticipated to violate a resident's right to confidentiality and privacy, or otherwise degrade or embarrass a resident.
- C. Associates are prohibited from referring to residents in a disparaging manner in any forum or on any Social Media site, even if the resident is unidentified.
- D. For more information, please see the following policies: CCG 00450 Photographing, Video Audio Recording Policy and Procedure and CCG 00451 Protecting Resident Privacy and Prohibiting Mental Abuse Related to Photographs and Audio Video Recordings by Staff Policy and Procedure.

VII. Reporting

- A. Associates that witness or are subjected to any conduct that violates this policy, must report such conduct to their department head or any other department head as soon as possible. Associates may also directly report such conduct to the Compliance and Ethics Officer.
- B. The Facility will directly and thoroughly investigate all reported violations of this policy and will take prompt corrective action if appropriate. The Facility reserves the right to contact law enforcement, if appropriate.

VIII. No Retaliation

The Facility prohibits any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of non-compliance with this policy or cooperating in related investigations.

IX. Administration of this Policy

The Compliance and Ethics Officer is responsible for the administration of this policy. Any questions regarding this policy should be directed to the Compliance and Ethics Officer.

X. Associates Covered under a Collective Bargaining Agreement

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 agreement that a union has with the Facility.