

WIOA Guidance Letter 22-03



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DATE: August 2, 2022
TO: LWDB Executive Directors
FROM: Mike Beene, Director Workforce Services
CC: Workforce Services
RE: Social Media/Common Identifier

Purpose:

To transmit guidance associated with the use of the Kansas Workforce Services System social media. This Guidance Letter outlines the acceptable use of the **KANSASWORKS** brand when utilizing social networking tools and social media sites regarding communication coming from the **KANSASWORKS** System or the Workforce Centers.

Background:

Social media can be a means to improve openness, accessibility, and transparency. Strategic responsible use of social media and social networking helps **KANSASWORKS** develop relationships with audiences such as employers, jobseekers, partners, and State and Local Boards.

Guidance:

All **KANSASWORKS** and Workforce Center Social media accounts should reflect approved **KANSASWORKS** brand names in the proper case and style. This includes Local Workforce Operators and Local Workforce Development Boards. Any Workforce Center desiring to have the state level **KANSASWORKS** social media accounts reshare content, shall work in concert with the **KANSASWORKS** Branding Guide and policy attached to this guidance letter. Any content that does not adhere to these standards, will not be promoted through the state level **KANSASWORKS** social media accounts.

Local Area's will develop and finalize social media policies and parameters in accordance with this guidance letter as well as the Workforce System Brand Policy (attached). Local Workforce Development Boards are responsible for designating social media platforms to be used in each Local Area. Social media platforms currently operated by partner programs in conjunction with the local areas will develop a transition plan for the LWDB to access all media platforms and designate users or other actions outlined in the Local Area policies.

Policies must be completed and submitted to the Workforce Services Outreach Program Manager by no later than January 1, 2023.

When developing LWDB policy consider the following guidelines:

Prohibited Content. Relevant First Amendment caselaw permits us to hide or delete certain comments on our social media accounts. The following will be hidden or deleted:

- Comments directly advocating violence or illegal activity.
- Comments containing obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive, appeals to prurient interest, and lacks serious literary, artistic, political, or scientific value.
- Comments that directly promote or advocate that we illegally discriminate based on race, age, religion, gender, national origin, disability, sexual orientation, veteran status, or any other legally protected class.
- Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, or browser.

- Duplicate comments posted repeatedly within a short period of time.
- Comments containing actual defamation against a person, either as determined by a court or comments that are patently defamatory by easily discovered facts.
- Comments that contain images or other content that violate the intellectual property or copyright rights of someone else, if the owner of that property notifies us that the property was posted in a comment on our social media account(s).
- Comments that contain a hyperlink to any website other than those controlled by Kansas Department of Commerce staff. This will be done without regard to the viewpoint of the comment containing such a link or the content of the site to which the link redirects.

You can regulate non-protected Speech:

- Obscene, sexual, or pornographic content and/or language.
- Content that promotes discrimination on the basis of race, age, religion, gender.
- Content that violates a legal ownership interest (copyright or trademark).
- Threats to any person.
- Conduct that violates any federal, state, or local law or encourages illegal activity.
- Promotion of any commercial activities.
- Spam, links, or malware/viruses.
- Posts that advocate for or against a candidate, referendum, or campaign.

Kansas Open Records Act – Removing or deleting posts maybe subject to Kansas Open Records Act or KORA K.S.A. 45-217. Social media policies should designate a procedure to retain records that may be deleted or removed to ensure compliance with this law.

KANSASWORKS Brand – All KANSASWORKS and Workforce Center Social media accounts should reflect approved KANSASWORKS brand names in the proper case and style. This includes Local Workforce Operators and Local Workforce Development Boards. Any Workforce Center desiring to have the KANSASWORKS social media accounts reshare content, shall work in concert with the KANSASWORKS Branding Guide.

Reference Policy #5-28-01 EOE Notification: The Equal Opportunity Notice must be posted prominently on all social media pages and/or on each individual social media post.

Recipients must indicate that the WIOA Title I-financially assisted program or activity in question is an “equal opportunity employer/program,” and that “auxiliary aids and services are available upon request to individuals with disabilities,” in recruitment brochures and other materials that are ordinarily distributed or communicated in written and/or oral form, electronically and/or on paper, to staff, clients, or the public at large, to describe programs financially assisted under Title I of WIOA or the requirements for participation by recipients and participants. Where such materials indicate that the recipient may be reached by voice telephone, the materials must also prominently provide the telephone number of the text telephone (TTY) or equally effective telecommunications system, such as a relay service, videophone, or captioned telephone used by the recipient, as required by 29 CFR Part 38.15.

References:

Policy #6-02-00 Workforce System Brand (Common Identifier)

KANSASWORKS Guidance Document

Policy #5-28-01 Equal Opportunity Notification, Communication, and Assurance

Kansas Open Records Act - K.S.A. 45-217

Contact:

Questions regarding this guidance should be directed to the Workforce Services Program Manager Email @ workforcesvcs@ks.gov