

A photograph of a sunset over the ocean. The sun is low on the horizon, creating a bright glow that reflects on the water. The sky is filled with dark, dramatic clouds, some of which are illuminated by the setting sun. The waves are visible in the foreground, with white foam from the breaking surf.

# **Navigating the Legal Pitfalls of using Social Media**

**IABC**

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# Why Employee Policies on SM???

- 50.22% population has a FB account
  - 95% are age 24 and over
- 72% of adults 18 and older use SM
- SM usage has increased from 8% 2005 - 72% 2013

BETH IS OUR NEW  
MARKETING MANAGER  
FOR SOCIAL MEDIA.



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BY THE WAY, COMPANY  
POLICY FORBIDS THE  
USE OF FACEBOOK AND  
TWITTER AT WORK. AND  
WE DON'T TRUST YOU  
TO WORK FROM HOME.



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IF YOU  
BLOG  
ABOUT  
HOW LAME  
WE ARE,  
YOU'RE  
FIRED!!!



## Reactionary Approach

A background image of a sunset over the ocean. The sun is low on the horizon, creating a bright glow that illuminates the sky and the water. The sky is filled with dark, dramatic clouds, and the ocean has white-capped waves.

# Prohibited vs. Protected

## Prohibited

- Company resources
- Employee devices
- Company confidential & trade secrets
- Unlawful Harassment & discrimination
- Defamation of competitors

# Prohibited vs. Protected Protected

- National Labor Relations Act
- First Amendment



# Successful Policy Development

- How the business uses SM
  - Marketing
  - Communications
  - Recruitment
- Involve key stakeholders
- Review existing policies
  - Unlawful harassment & discrimination
  - Use of company resources & IT
  - Confidentiality
- Include 10 key elements in your SM policy