

## SOCIAL MEDIA IN THE WORKPLACE

- Huge benefits and potential perils in using social media networks for business marketing
- Unchartered legal risks of employee participation in social networking sites, as well as risks posed by third parties
- Social networks make it much easier to post and disseminate information quickly and occasionally rashly.
- While the speed and volume of information exchange is being charged up enormously, the content and the rules of what we say about each other, particularly in employment, hasn't changed much at all
- How do you protect your company from unwanted exposure in this medium
- Employers and employees should be aware of their privacy rights and obligations, liability in defamation and responsibilities in relation to the appropriate use of intellectual property rights
- Laws relating to employment, media, technology, intellectual property, contract and tort law and industry specific laws
- Long before the internet, there has always been an implied, and at times express, duty in the employment contract that an employee shall act diligently for their employer and shall not perform actions contrary to that employer.
- Organizations participating in social networking sites without appropriate legal protection in the form of contracts and policies; risk brand dilution, their reputation and a range of other mischief that are emerging online on a daily basis.

### Issues:

- free speech
- an employee's responsibility to their employer
- employees who decide to broadcast opinions about their employer and the organization that paid them
- grey area about the extent to which "out-of-hours" actions can put at risk a person's employment.

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- Employers everywhere are coming to terms with social media by producing policies for their workforces that create an awareness of the rights and responsibilities an employee has toward each organization.
  
- Advise on risk and governance issues
- Specialist risk management advise
- Benefit from social media while minimizing the inherent risks
- Defamation/business reputation
- Intellectual property
- Privacy
- Employee supervision
- Drafting specialized clauses, organizational policies
- Social media policies – for all staff and/or for staff authorized to use social networking sites on behalf of the organization
- Crisis management/litigation

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