Discussion Document: Human Resource Policies for Social Media

By: Terry Rachwalski

Why it matters: The proliferation of blogging, both for work and personal reasons combined with personal websites, postings on social media networks, wikis, video/picture sharing sites, plus commenting on blogs, and responding to comments on posts publicly have created new case law and require companies to discuss, review and revise guidelines and policies on a regular basis.

This document is designed to assist companies discuss what social media policies will be appropriate for them. It is based on my own experience guiding companies through their efforts to include social media in their public relations and marketing. It is not meant to be all inclusive or an extensive document with findings and recommendations but rather should be used as a starting point to guide the conversation on what is needed and why. This document relates to employee conduct not community management.

I.   What is needed?

There are typically two policies that need to be addressed.

1. Social media policy that is included as an amendment to employee conduct guidelines.
2. Policy and procedures for those employees are directly involved in social media for the company, typically referred to as community management.

Those employees directly involved in social media usually work as a community manager or are part of the marketing/communications or public relations team. While they will follow the general company social media policies, there will also be procedural guidelines, themes, content strategy or a storyboard about what to post, where and when to post and active monitoring to achieve company goals and marketing objectives.

With regard to community management, we recommend clients have a strategy regarding when an official response is required to online issues. This is just like traditional issues or crisis management communications but includes social media responses. In this case, the community manager should be directed when to consult management before responding or indicate that they need time to provide a response.

Why Does Discussion Matter?

I believe that discussing fears that the leadership team has about social media and what can go wrong will create better policy and better protect the company, employees and community managers. Discussing what others have done, what is accepted practice and what is wanted and unwanted in your own organization will help define policies. It is important that the company leadership and management understand basic interactions on social media, discusses what can go wrong and what their response

might be, *in advance*. The purpose is to determine what is positive and what is negative to help define purposeful online communication and reduce fear-based reactions. It is very helpful to engage with employees before writing the policies. Many companies will include employees on the policy writing team.

II.   What is standard practice?

Standard practice is to amend employee conduct guidelines to include social media, typically in the code of conduct section of the document. The purpose is to create a clear guideline for all staff on how they should represent themselves on social media.

The goal to ensure that all staff including leadership genuinely understand that social media is a public, not private interaction, has a defined communication purpose and that as an employee, public discussion reflects on the company.

Usually, there should be a clause that clarifies what is public and what is private. For example, if the employee clearly identifies themselves and also identifies the employer (via status or via other social media accounts like LinkedIn) or *if the conduct and content could be used to identify the employee or company*, then the comments could be construed as public comments. However, it is prudent to consider that many people have private accounts that cannot be readily identified. In this case, refer to the sentence above, even if the user account on the public network has a fake account user name; *if the conduct and content could be used to identify the employee or company*, then you need to question yourself whether the comments could be construed as public comments.

For discussion: *Does it matter to you if employees discuss your business/products/stakeholders publicly? Can you foresee a situation that might arise where it would matter?*

The key point is that while employees speak for themselves on their private accounts, these posts are often shared with co-workers, suppliers and those in the company's network – meaning that the post does include the company. For those in management, views may be seen as representing the company. For CEO's and top management and particularly government or public firms, transparency is critical – you should identify yourself when you are posting about your company.

III.   What is reasonable?

It is up to your company to decide what the use guidelines are; *what is a suggestion, what is a policy (that can be changed) and what are rules and grounds for termination*. The difficulty lies in differentiating between what may be an honest expression of frustration from an employee, and what is out of bounds behaviour. These differences will be unique for each company. Providing clarity and examples will help avoid difficult situations.

If your social media policies are so harsh as to be unreasonable, they will not have the desired outcome and could cause a backlash. If your policies are not clear enough, you will not be able to correct inappropriate behaviour when it occurs.

An example policy statement:

      a. *All employees are prohibited from sending abusive, harassing, threatening, menacing, discriminatory, pornographic, off-color, or otherwise **offensive messages.***

For discussion: *What does "offensive" mean? What does it look like? What are the consequences?*

Striking a balance between informing and taking a punishing action is important. Further, you want to have a process to start the conversation when an employee makes an honest mistake. For example, it is not uncommon for community managers to post to the wrong business account instead of a personal account by mistake. Is that an offense that would require termination? What if an employee vents on their Facebook page about the company? What would the consequences be, if any? It is important to have these discussions before the incident happens.

For discussion: *What online conduct would be grounds for termination? If not, why not? Under what circumstances would the situation be different? Who will make the decision and why?*

IV.   What is your worst fear?

It is challenging for leadership to really think through what could go wrong and how they feel about it – to face their fear rather than reacting when something that they don't like happens.

For discussion: *What is your worst fear? What would it look like? What would you do? What are the things that you would not be concerned about? What do they look like?*

I.   What could possibly go wrong?

The typical worst case scenario that companies worry about is a disgruntled employee or former employee who posts disrespectful comments regarding the company or the management. I believe companies need to think more broadly and consider other scenarios, such as;

- If an employee has a blog and reviews a key supplier negatively.
- An employee posts confidential information on their social feed.
- An employee is overtly political on their Twitter feed.
- An employee posts company products on their Instagram account.
- An employee starts a Facebook page in support of a controversial topic related to your industry.

- An employee is identified as posting self serving information about the company on Wikipedia.
- An employee uses inappropriate photo filters to modify company product images and shares them.

All of these scenarios have happened to others. Can you think of other examples? How would you react?

For discussion: *What will cause you grief? Is it reasonable to be upset? Why or why not*? *What will you do?*

II.   What is Good Practice?

Fortunately, many companies have already done policies that we all can learn from. While there is no single set of policies that will be appropriate for everyone, there are some good practices to be mindful of;

- have internal discussions with leadership to find out what your biggest fears are,
- widen the discussions to include employees,
- document how you came to your conclusions (in case you change your mind later),
- determine what guidelines you need to have in place for social media
- schedule communication and training sessions
- as appropriate, consult a lawyer.

It is good practice to populate your policy with examples from issues other companies have had. These might not be in the formal employee agreement but can be part of employee training documents.

It is also a good practice to have a page on your website and re-iterated on your social media sites to explain how and when your company will interact with people; both the general public and employees. For example, how will you respond to abusive behaviour or trolls? How do you identify a troll versus a client/employee with a point of view that is worthwhile considering?

Be specific on how you will respond to employee questions and comments and be specific about what you will do when there is a comment that is rude, uses foul language, inappropriate or is a personal attack on an employee. You may wish to specifically state that you will determine what *inappropriate* means. In the end, the best policies are honest and use common sense but are in writing, and shared.

III.   Examples from Intel

Here is an abridged example of social media policies from Intel that I liked that might help frame your discussion;

- *Do not disparage the company, its management or employees, even if not naming them directly.*

- *Do not discuss specifics about your work, incidents or any information that would allow a third party to identify a person or technical details.*
- *Do not post non-public financial or operational information. This includes strategies, historical data and forecasts.*
- *Respect copyright law: includes illegal music sharing, copyrighted publications, and all logos or other images that are trademarked by our firm.*
- *Confidential information: Do not publish, post, or release information that is considered confidential or top secret.*
- *Promotions: Internal communication regarding promotions, sales, product development and public relations efforts.*
- *Personal information: Never share personal information or images regarding other employees, suppliers or customers without their express approval*
- *Legal information: Anything to do with a legal issue, legal case, or attorneys.*

Here are few other examples that are more appropriate for community managers or anyone posting to company pages but worthwhile sharing and considering in the context of employee policy;

- *Stick to your area of expertise and provide unique, individual perspectives on what's going on at our company and in the world.*
- *Post meaningful, respectful comments—in other words, no spam and no remarks that are political, religious, or sexual in nature, off-topic or offensive.*
- *Always pause and think before posting. That said, reply to comments in a timely manner, when a response is appropriate.*
- *Respect proprietary information and content, and confidentiality.*
- *When disagreeing with others' opinions, keep it appropriate and polite.*
- *Know and follow the Company Code of Conduct and Privacy Policy*

IV.   Resources

http://socialmediagovernance.com/policies.php

V.   Example document

Internet, Email & Social Media Acceptable Use Policy

Effective Date: 01 Jan 2016 **Last revised date:** 14 Jan 2016 **Applies to**: All staff members. **Author/Owner:** Chief Operating Officer **Changes approved by:** COO and CEO

Relevant section:

1. **Personal Behaviors and content:** Talking about CLIENT NAME on social media sites or in email reflects on the company's reputation. If you are communicating through social media like Twitter, Facebook, Instagram, LinkedIn, YouTube, Reddit, etc., please remember there is an acceptable code of conduct.
   a. What you write is ultimately your responsibility so be open about your association with CLIENT NAME Inc.
   b. If you have a vested interest, be the first to point it out
   c. Tell the truth and tell it in such a way as to not be misleading
   d. Make sure the content is appropriate for all potential audiences before posting
   e. Remember publishing to a social media network invites the community to share your information with their own networks so make sure your content is appropriate for broad publication before posting
   f. Abide by the guidelines of the host website. In addition to the terms of service, each social networking site has certain customs and conventions. Learn what is appropriate and follow the example of influencers in the community.
   g. Do not post material that infringes copyrights, trademarks or other intellectual property. Among other things, you should not post images, photographs, videos, drawings, models, architectural works or other materials owned, created, or designed by others without their consent. If people appear in a photo or video, you may have to get their permission as well.
   h. All employees are prohibited from sending abusive, harassing, threatening, menacing, discriminatory, pornographic, off-color, or otherwise offensive messages.
   i. Do not discuss customers, suppliers or other partners without their consent.
   j. Do not publicly blame another department inside of our company for unpopular policies or program issues. Our aim is customer satisfaction, but not at the expense of sacrificing the reputation of another group inside our company
   k. Do not bash the competition, it will reflect badly on our company and unfounded criticism or negative remarks could expose us to claims for libel.

Abut the author:
Terry Rachwalski is a Certified Management Consultant in Western Canada.