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Helping workers understand and follow social media policies

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Abstract While social media can have significant benefits for organizations, the social media presences and postings of employees can be problematic for organizations. This is especially true when employees have connections to co-workers and managers. Workers posting content deemed inappropriate or detrimental to the organization has led to a significant number of workers being fired for their social media behavior. To avoid such situations, organizations should create social media policies to guide employee content. Organizational implementation of social media policy is on the rise, but serious questions remain as to how to make it effective. One crucial question is how well employees know and understand their employer's policy. In this article, we discuss how to communicate social media policies to workers and help their understanding. To inform our recommendations, we draw on exploratory data from a sample of young adult workers regarding their knowledge of their own company's social media policies.

1. The impact of social media behavior on employment status

When factory worker Ashley Heffran learned she had received a $100 holiday bonus from her company, she turned to Facebook to praise her employer. She posted: "I was wowed by this today. Feels great to be appreciated by your job." Before her shift ended, Heffran's supervisor informed her that she had been fired for violating the company's zero-tolerance policy for work-related social media posts (Galli, 2014).

Similarly, when journalist Kristopher Brooks received a job offer from the *Wilmington News Journal*, he announced it on his personal Tumblr blog. Soon after, Brooks was notified that his job offer had been rescinded because he quoted his offer letter and used the company's logo when making his announcement (Giang, 2012).

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In another example, Cheryl James had an emotionally charged shift at Oakwood Hospital in Dearborn, Michigan, when she was asked to treat an alleged shooter of police. After work she went to Facebook to blow off some steam. She posted that she had come face-to-face with evil, and hoped the cop killer would rot in hell. The post did not contain any direct information about the suspect's name, medical condition, or even the treatment hospital. Despite this, James was fired for her post because it was considered a violation of HIPPA privacy protections for patients and contained unprofessional content (Katarsky, 2010).

These cases, along with many others, illustrate situations in which employees were fired for unknowingly and unintentionally violating their companies' social media policies. Examples such as these highlight some of the practical problems employers encounter when dealing with employees' personal social media usage. Specifically, for the growing number of companies that choose to implement social media policies, questions arise as to whether policies are (1) properly drafted and/or (2) effectively communicated to workers. Oftentimes, the lack of effective social media policy communication and training is the root cause of termination cases.

In this article we offer advice to organizations on how best to communicate social media policies to workers. We draw on an exploratory study we conducted with young adult workers as to their knowledge—or more often, lack of knowledge—about their own organization's social media policy and its components. We discuss provisions organizations should include when drafting social media policies and the importance of enforcement so that workers better understand and appreciate such policies. In addition, we discuss how social media policies can be communicated through training programs and elements that can help these programs be effective. Finally, we conclude by suggesting future needs for research, theory, and guidance for organizations on the use of social media policies.

2. Why is there a need for social media policies in organizations?

Social media usage has grown exponentially in recent years. Approximately 73% of Americans engage in social networking, with sites like Facebook, Twitter, Instagram, and LinkedIn dominating the landscape (Duggan & Smith, 2013). Not surprisingly, personal social media usage has consequently become connected to the workplace (Schmidt & O'Connor, 2015). Weidner, Wynne, and O'Brien

(2012) found that 60% of employees were connected with a colleague through social media and 40% were connected with their supervisor. Meanwhile, Hawley (2014) found that approximately 50% of employees posted pictures, videos, or messages involving their employer, which equates to approximately 60 million U.S. workers using social media to discuss employment issues.

These behaviors may not be problematic in and of themselves, as organizations may permit or even encourage social media connections and posts, depending upon the industry. However, problems can arise when unprofessional or negative social media conduct is viewed by recruiters, colleagues, supervisors, or the public—such as in the case of Cheryl James. In addition, positive content posted by employees—like Ashley Heffran and Kristopher Brooks—may be problematic because the dissemination of company information may be at issue. Cases such as these have spurred the development and implementation of social media policies, principally so that companies can protect their professional reputations and proprietary information from exposure.

Proskauer Rose LLP recently found that 80% of the companies it surveyed currently have a social media policy in place (Rubenstein, 2014). However, there is no known applied research and little guidance for organizations regarding whether or not employees of companies with a social media policy are aware of its existence or understand its specifics. Previous research by Schmidt and O'Connor (2015), Whitfield (2013), and others has highlighted the many legal issues and cases involving worker discipline, as well as the impact various laws have had on workers who engage in personal social media usage.

Building on calls for research in the areas of employee perceptions and understanding of social media policy language, we conducted an exploratory study. Our findings suggest that employers need to do a better job in helping employees understand and apply their social media policies. We found that simply having a social media policy is not enough to influence or change worker social media behavior. These results inform many of the practical suggestions for organizations we put forth in this article.

3. The exploratory study

3.1. Nature of the study

The study participants were 166 employed undergraduates (60 men, 106 women) from a Midwestern United States university. They answered questions on their social media connections to co-workers, their behaviors related to talking about work

Table 1. Percentages of employed exploratory participants who engage in work-related social media behaviors

	Percent yes/agree	Mean	SD
Any number of work friends on SM	86%	9.45	13.44
Talk about job on SM tends to be about co-workers	19%	1.60	0.79
Talk about job on SM tends to be about job itself	41%	2.06	0.87
Talk about job on SM tends to be about customers	22%	1.68	0.81
SM co-worker talk tends to be negative	9%	3.52	0.96
SM job itself talk tends to be negative	13%	3.39	0.97
SM customer talk tends to be negative	16%	3.28	1.01
Access SM during workday	77%	2.44	1.09
Permitted to access SM at work	36%	—	—
Use work-provided device to access SM	14%	—	—

Note: SM = Social Media. Talk about job scales = 1 (disagree) −3 (agree). SM work talk negative scales = 1 (very negative) −5 (totally positive).

through social media, and their knowledge of their own company's social media policy and its elements. The results for the first two categories are presented in Table 1, and the answers directly related to social media policies are presented in Table 2.

3.2. Work-related social media behaviors

The majority of participants were connected on social media with work friends, with 86% suggesting they had at least one co-worker connection on social media (see Table 1). Most participants used social media at work (77%); however, only 36% reported they have permission to do so, suggesting that some workers are ignoring work-policy bans on such behaviors.

We also found that employees are making work-related comments on social media. With regard to the types of job-related talk they posted to social media, more participants reported talking about the job itself than co-workers or customers, and comments were mainly positive, fitting with the results of Hawley (2014). However, a fair number of participants (9%−16%) indicated that their social media comments about work tended to be negative,

especially about customers. Those who indicated that their company had a social media policy posted more negative content than those who said their company did not have a policy or were unsure whether their company had a policy.

3.3. Knowledge of work-related social media policies

Only 31% of participants indicated their company had a social media policy; 34% indicated that their company did not have a social media policy; and 35% reported that they did not know if their company had a social media policy. As Table 2 shows, for those who knew their company had a social media policy, only half knew what violated the policy. When asked about specific policy details, many participants indicated that their company either did not have, or the participant did not know about, common social media use policy provisions.

In terms of demographic and social media policy knowledge, the only significant difference was tenure with the company: those who indicated their company had a social media policy had been with their company longer than those in the other groups,

Table 2. Employees' understanding of their company's social media policy for those who knew their company has a social media policy

	Yes	No	I don't know
Know what violates company's SM policy	50%	50%	—
Company gives practical advice for employee SM use	42%	18%	41%
Company has 'use common sense' provision	54%	10%	36%
Company requires protection of trade secrets	42%	11%	47%
Company prohibits online discussion related to work	30%	23%	48%

Note: n = 118.

and significantly longer than those who indicated they did not know if their company had a social media policy. However, it is notable that for those who indicated they did not know if their company had a policy, their mean term of employment was nearly a year (10.98 months). These findings suggest that social media policies were not introduced during initial training, and that they are perhaps communicated in a less formal way through cumulative experiences with the company. Interestingly, even those who knew their company had a policy did not know many details about the policy, which suggests that more explicit social media policy training is necessary.

4. Practical considerations for employers

What we know from our data—as well as from prior studies of worker online behavior—is that employees are regularly talking about work, about customers, and to co-workers on social media sites (Hawley, 2014). As discussed, a noteworthy take-away from our study is that 86% of participants were connected with co-worker colleagues. This is higher than previous examinations of co-worker connections, which found it to be in the 60% range (Duggan & Smith, 2013; Weidner, Wynne, & O'Brien, 2012). This could be due in part to the younger age of our sample and more widespread use of social media among young adults.

With regard to the content of such social media posts, organizations can be heartened that our study indicates most content across all three types was not negative. However, the fact that posts about customers was the most endorsed category for negative content is obviously troubling. Negative content on social media may hurt the reputation of an organization in the eyes of the public and potential customers. Important legal issues may arise in these circumstances, and employers may find that having a social media policy in place helps avoid litigation or aids their defense in court (Schmidt & O'Connor, 2015).

Our study points to two major areas employers need to consider regarding worker social media behaviors and social media policies. First, social media policies need to be well drafted and clear—and consistently enforced—so workers understand the policy and the organization can protect itself legally. Second, organizations need to clearly communicate their social media policies to workers. This can be accomplished by implementing various communication mediums and training methods, which should include multiple exposures to social media policy language and meaning.

4.1. Social media policies need to be well drafted, clear, and consistently enforced

As shown by our data, many workers do not know the elements of their company's social media policy. This may be in part because the existing policy is obtuse or lacking specifics of how workers should behave. To make policies clear, organizations need to carefully consider how policy provisions can be written so they are well defined and understandable to workers.

First and foremost, when creating such policies, private sector organizations need to make sure they are not infringing on the legally protected rights of their employees. As outlined in Section 7 of the National Labor Relations Act (NLRA), employers cannot restrict employees' right to communicate with co-workers about working terms and conditions. Depending upon what type of work-related matters the employees discuss via social media, their communications may be considered protected concerted activity and within their right to debate (Schmidt & O'Connor, 2015). Many companies choose to include non-disparagement clauses, which can range from requiring employees not to say bad things about the company to not identifying their employment with the company; in extreme cases, this may go so far as completely banning employees from posting anything about the company (Gordon & Argento, 2014). However, it is important to note that private-sector companies that place heavy restrictions and all-out bans on their employees run the risk of violating Section 7 of the NLRA (Schmidt & O'Connor, 2015). Consulting an attorney to help make a determination of whether an organization's policy language could violate federal law would likely be good practice.

Furthermore, the National Labor Relations Board (NLRB) suggests that the language of social media policies should give employees clear examples of permitted and banned behaviors, as well as how the organization's policy will be applied (Purcell, 2012; Schmidt & O'Connor, 2015). Notably, when examining various policies—such as those on the website http://socialmediagovernance.com/policies/, a database that includes hundreds of examples of social media policies from many major U.S. and international employers—the policy language can vary tremendously among industries and between organizations (Boudreaux, 2009). However, common social media policy elements include protection of company trade secrets and potential violations of anti-discrimination or anti-harassment laws (Breakenridge, 2012; Schmidt & O'Connor, 2015). HR professionals may want to use the social media governance website to find examples of

language they desire in their own policies, but they will need to consider their own work context when drafting a policy.

Equally important is the enforcement of social media policies that exist in an organization. Even if workers understand the existing policy language, if they do not see it consistently enforced, they may assume it can effectively be ignored. Inconsistent enforcement by the organization can lead to discrimination lawsuits (Dexter, 2008). Therefore, policy language should clearly define the consequences of policy violations. This could include language on elements such as progressive discipline (i.e., more violations over time leads to more stringent punishment) or the types of violations that are considered severe enough for termination on the first offense.

Although consistent and systematic enforcement is crucial for a successful policy, there are indications that organizations are failing in this regard. In many extant termination cases (such as the K-12 teacher cases discussed in O'Connor & Schmidt, 2015), the offending worker's social media content was not discovered via routine organizational processes but rather by particular individuals reporting the worker to the organization. This is concerning, as negative social media content could potentially be posted but go unreported to an organization, or be discovered much later, after damage has been done to the organization's image.

Due to the importance of enforcement, we recommend that organizations create policies and procedures for the collection of data and enforcement of social media policies. Organizations could set procedures consisting of real-time, daily, or weekly data collections. Organizations should consider having dedicated staff for or staff time devoted toward monitoring and discovering social media content, as well as staff for viewing flagged content and determining if it violates the social media policy. Technology could help with this process by creating an automatic search utilizing programs or applications; in fact, these applications already exist. The Orange County School District in Orlando, Florida, uses a software program offered by Snaptrends for the routine monitoring of social media posts by both students and staff (Postal, 2015). Another such software, Socialite by Actiance, monitors social media for key words, phrases, and patterns. It can give organizational compliance teams real-time updates when concerns are detected. These tools could help organizations in the detection and enforcement of policy provisions.

In terms of enforcement and the general nature of policies, it is nonetheless important to consider how workers and employees may respond. Policies may be legally defensible but result in situations that the public deems unjust (Drouin, O'Connor, Schmidt, & Miller, 2015), or that alienate workers who feel their privacy is being violated. When crafting policies and punishments, organizations may want to consider the values and perceptions of their own workforce and the customer base. Organizations may also want to create mechanisms by which workers can appeal organizational decisions and punishments, so as to be heard and explain the intent behind the social media post in question.

4.2. Organizations need to clearly communicate social media policies and provide training to workers

The results of our exploratory study and the recommendations of those with expertise in this area (Breakenridge, 2012; Schmidt & O'Connor, 2015) suggest that organizations need to do significantly more to inform workers about social media policies if they want the policies to have an appropriate impact. To accomplish this, there are various avenues organizations might consider. For example, written forms of policy communication may include a social media section in the employee handbook, signed policy acknowledgments by employees, or social media policy memorandums to employees. Breakenridge (2012) suggests that organizations could make short summary documents for easy worker reference, especially in the case of more expansive social media policies. However, the most basic way to better communicate such information might be to train workers directly on policies, as suggested by both Schmidt and O'Connor (2015) and Breakenridge (2012). Well-designed training programs may help workers not only understand the words of the policy, but also how those words apply in everyday organizational life.

The training could proceed in a number of different ways; the best method may vary depending on the actual elements of the organizational policy. One method of social media training entails online videos that workers are required to view. Idaho's St. Luke's Health System provides its employees with a video defining social media, discussing types of issues that can arise, and listing the criteria people should consider when posting.[1] Video links can be emailed to employees, or supervisors can run meetings where such videos are shown. Schmidt and O'Connor (2015) offer other examples of video-based training.

In addition, organizations might want to implement face-to-face training, which allows participants

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[1] https://www.youtube.com/watch?v=QKW9xkX0uIE

to ask questions and receive answers; or, they could offer a combined set of methods. A number of consulting organizations develop and run programs on social media policy training (e.g., Xcelus). It would likely benefit employees to have exposure to more than one method of social media policy training (Miller-Merrell, 2011).

Organizations need to consider when employees should get training. It makes sense to build at least one social media policy training session into an orientation program so that new employees gain an understanding of such policies upon entry. As our study revealed, lower-tenure employees are particularly in need. If the organization has a zero tolerance type of social media policy, or has a policy against using the company name on social media—as exemplified by the Ashley Heffran, Kristopher Brooks, and Cheryl James examples—a good practice would be to notify a new hire in the offer letter.

It is important to make sure that existing employees and managers also receive training. Though longer-tenured employees may know the company has a social media policy in place, their reported negative online postings in our study suggest either a lack of understanding or mere complacency. Managers should be comprehensively trained, as they may be tasked with handling employee discipline when social media—related issues arise.

It should be stressed that one training session for the duration of a worker's employment with the organization is certainly not enough. Information can become outdated and social media policies will change significantly as new technology creates different concerns and potential issues. The social media sites that are used most frequently by workers will change over time, and any training needs to keep up-to-date with such changes; organizations will want to have refresher courses to help workers understand current sites and social media policy language. Yearly social media refresher courses could remind workers of policy elements that have remained the same, yet concurrently introduce them to any changes or updates that will be made and subsequently enforced.

5. Conclusion

In light of our arguments, the extant relevant literature, and the results of our exploratory study, we suggest—for all organizations—the development of comprehensive policies regarding social media use and online conduct. Newer workers may or may not be aware of their employer's social media policy; longer-tenured employees may not understand the policy; and senior employees may have started

before such policies were adopted. We therefore suggest ample training on social media policies across all levels of the organization. Moreover, future research is needed in this area, specifically in regard to the effectiveness of various training methods. This research could help organizations determine how social media policies are best communicated to and understood by employees.

In many of the legal cases surrounding workers terminated for social media posts, the terminated worker seemingly had little awareness of the potential consequences his or her behavior might provoke (O'Connor & Schmidt, 2015; Schmidt & O'Connor, 2015). This lack of awareness could, in part, be due to policies that lack clear descriptions of how the policies are enforced and how workers who violate them will be punished. Social media policies can help workers understand their legal rights, what content is and is not appropriate, and what content may have negative consequences. Well-drafted policies that are crafted in line with existing legal standards may also help an organization avoid or defend itself from litigation. Providing examples of prohibited conduct—as recommended by the NLRB—will help employees to better understand the policy and possibly reduce the likelihood that they will later sue the organization (Purcell, 2012; Schmidt & O'Connor, 2015). If litigation does arise, a clearly articulated policy can provide direction for the court when deciding the matter at hand.

In conclusion, we know for certain from our exploratory study that employees are posting comments about their co-workers, jobs, and customers. Some of these comments, especially those about customers, are negative. Most distressingly, this negative talk only increases with tenure. To avoid potential legal issues, employers should educate their employees about company social media policies early and often, with training a potentially fruitful way of doing so. Work life and online life are intertwined, and organizations need to create and communicate policies that help workers understand what behaviors are appropriate.

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