

Employers crack down on social media abuse



More than 70% of employers have disciplined employees for on-the-job misuse of social media sites such as Facebook, Twitter and Instagram, according to a new survey by the Proskauer law firm.

That's up sharply since 2012, when 35% said they had taken such action. Since then, the number of employers with policies on use of social media at work has increased significantly, from 60% to 79%.

"When we published our first survey in 2011, there was a sense of novelty and even mystery about social media usage in the workplace," said Proskauer's Daniel Ornstein. "This year, we found a marked increase in the number of businesses that have implemented social media policies and other measures to address the risks arising out of social media misuse by their employees."

Among the reasons for discipline: using social media to divulge confidential information, misrepresent the views of the business, disparage the business or harass co-workers.

Ornstein said these measures can ensure that employees' use of social media doesn't harm an employer:

1. **Conduct annual social media audits to ensure that policies and practices comply with the law.** For example, several courts have ruled that disciplining employees for social media posts that discuss pay or working conditions violates the National Labor Relations Act.
2. **Make training a priority.** Just 38% of employers surveyed provide training on social media misuse.
3. **Identify social media risks, such as misuse of confidential information and harassment.** Policies addressing those risks should specifically prohibit violations committed using social media.
4. **Implement clear guidelines on official use of social media.** Employees whose work involves using social media—marketing staff, for example—need guidance on keeping a firm boundary between professional and personal postings.