



Strategies to Develop a **Social Media Policy** for Your Business

The relatively recent explosion of social media has resulted in another avenue for businesses to promote their brands, products and services. Businesses are learning that the social media age has also ushered in an unprecedented avenue for customers to communicate and discuss their experiences with these same brands, products and services.

Online statements are unique in that they are essentially permanent. Once information is published online, it becomes part of a permanent record, even if you remove, delete or attempt to remove any reference to the post. As a result, even if a company has not embraced the marketing benefits of social media, it may find that it has a robust social media foot print crafted by its customers (and in some cases, a company's own employees).

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Companies who do not proactively manage its brand through social media channels risk their online reputation being placed in the hands of disgruntled customers and employees. Recently, two employees of a national pizza chain posted a YouTube video of them engaging in egregious health code violations while preparing a customer's pizza. The video went viral and was seen by millions of people, resulting in nationwide damage to the brand. The president of the company posted an apology video on YouTube denouncing the acts of these employees and assuring the public that this was an isolated incident that would never be repeated.

As of the date of this article, the apology video was viewed approximately 30,000 times—a fraction of the amount of times the original video created by the employees was viewed.

This incident underscores the importance of establishing a formal social media policy. Just as with traditional media, you have an opportunity, as well as a responsibility, to effectively manage your business' reputation online. The way you engage in social media can result in members of the public forming opinions about your business, its services, products and the brand as a whole.

Part of a comprehensive social media policy includes communicating to your employees guidelines for engaging in social media, including their own person accounts. Through the advent of Facebook, Twitter, YouTube, My Space, LinkedIn, Four Square, blogs, message boards and other social medial platforms, your employees have the ability to communicate messages regarding your brand while engaging in their "personal" social media accounts (whether you like it or not).

Your employees must be mindful that they are representing the company and its brand. It is your duty as a business owner to provide clear guidelines as to the employee's use of social media. As a general rule, employees should not be engaging in any form of communication that could reflect negatively on the company's brand, including comments or other posts about drug or alcohol abuse, profanity, off-color or sexual humor, and other inappropriate conduct. All postings should be respectful to all individuals, races, religions and cultures. They should not use ethnic slurs, personal insults, obscenity, or engage in any conduct that is not otherwise acceptable in the workplace.

Some employees may not be aware that they are legally liable for anything they write online. They can be subject to third-party claims for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. They can also be sued as a result of their postings. A comprehensive social media policy should articulate and clearly explain an employee's potential legal liability for his or her postings.

Your social media policy should also prohibit any disparagement of the company, its brand, and their colleagues. Employees should always speak respectfully about the company, their co-workers, customers, partners and competitors. Employees may feel that they are being "helpful" by using exaggeration, obscenity or derogatory remarks or characterizations, when describing a competing business.

Employees must also be made aware that they are under an obligation not to share company trade secrets, disclose confidential information or inadvertently mention an upcoming product or event that has not been made public. In sum, employees must be reminded that their general obligations to the company do not go away when they are communicating through social media platforms.

Your employees should also be aware that any policies contained in their employee handbooks must also be

adhered to with respect to their use of social media platforms. For example, if an employee is harassing a colleague through social media, that employee would be subject to the same consequences as if the employee engaged in the same behavior at the work place.

Another area that should be communicated to your employees is the use of the company's trademarks and trade names. Your employees should only be permitted to post any of the company's proprietary marks upon first receiving prior written approval from the company.

If an employee is communicating on behalf of the company, he or she should always disclose their affiliation with the company. It is generally not acceptable for your employees to use aliases or otherwise deceive people, when they are communicating as an official representative of the Company. If an employee is communicating on behalf of the company, they should be reminded that may only disclose publicly available information. If someone responds to something that has been posted, the company should be responsive and follow-up quickly (e.g., within 24 hours).

There are also advantages to your employee's use of online social media platforms. It provides them with a unique opportunity to be a "scout" for compliments and criticism. A company's employees can be one of its most vital assets for monitoring the social media landscape. Your social media policy should clearly provide a company representative for an employee to contact if they come across positive or negative remarks about your company's products, services or the company's brand in general.

Finally, your company should appoint a designated representative to answer questions regarding what is or is not permissible. Employees should be encouraged to contact this representative if he or she has any doubt as to whether an online posting falls within the company's social media guidelines. ■

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