


# POSTING & EMPLOYMENT..


Many employers are allowing and even encouraging their employees to blog and post, but they are also taking steps to limit employee activities to protect the business interest. What is happening in workplaces:


- Employers are setting social media polices. An Employer is wise to share policies concerning blogging and social network conduct with their employees.
- Discipline workers with caution. Some employee communications are protected by law, so employers should be careful about attempting to discipline an employee for work-related comments made on an employee's personal blog or page.
- What workers comments are protected? Federal law protects communications include those that have to do with protected activities such as whistle-blowing or conducting union activities, and communications about a protected status (such as discrimination by gender or race).




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# EXPRESSING YOURSELF ONLINE

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## LEGAL RISK POSTING

### Defamation:

- You can be found liable of defamation for something you post online, and a jury can award hundreds or even millions of dollars to the person whose reputation you harmed. “Defamation” is damage to someone’s reputation caused by a public, intentionally false statement that is presented as a fact, either through speech or the written word.
- In general, a private citizen claiming defamation must prove your comments were false and that you acted negligently in failing to discover the truth.
- A public figure claiming defamation must prove “actual malice,” meaning that you published the comment even though you knew it was false, or you showed reckless disregard for the truth.

### Invasion of privacy:

- Invasion of privacy generally means you’ve intruded into someone’s private secluded area or private affairs and published information without his or her consent.
- If you publish personal details that have not been made public, such as a person’s sexual orientation or a private romantic encounter, that can be invasion of privacy.



## CAN I USE A FAKE NAME?

The United States has a long-standing tradition and appreciation for anonymous speech, which is alive today. You can choose to let the readers know your identity, make up an online persona, or you can remain anonymous. Supreme Court rulings have equally protected the rights of both known and anonymous authors. Recent defamation lawsuits brought by individuals and businesses have had varying degrees of success in forcing internet service providers to provide the true identity of an anonymous blogger or comment poster.

## EXPRESSING YOURSELF ONLINE

No matter how well intended, not everything we post online comes across as we hope for. In fact, more than half (57 % says yougov.com) of Americans who use social media have posted or texted something that they regret afterward, most because they worry it will harm their reputation in the workplace.

Reputational harm might be the least of a social commenter’s problem. A social media user should be aware of some of the most prominent legal issues that may arise from posting content.

