

## Social Media Policy Must Have: when are they on the clock?

**If your company has employees managing its social media you better have a policy that makes it clear when they are "on the clock" and "off the clock" or you could end up in trouble for violating the Fair Labor Standards Act. Consider this scenario:**

Your company has a non-exempt employee managing its LinkedIn, Facebook, Google +, and Twitter accounts as part of his regular job duties while working during a regular 8 hour workday. Your employee loves his job and is very passionate about social media so he does a fantastic job and your company is really seeing the results. Great, right?

Unfortunately, however, employee is not just passionate about social media, he is addicted to it. Employee has no life. He spends his nights and weekends connected on social media like a teenager on house arrest. He is so serious about it that he uses a social media dashboard, such as [Hootsuite](#) (like I use), to manage all of his social media accounts from one place -- including your company's. So, while he's getting his therapeutic time away from the office sitting at home on his laptop, social media in his heart out, he's checking your company accounts and engaging on them as well ... for hours and hours and hours on end ...

One day he gets really desperate for money and realizes all the time he wasted away and then happens to meet a really clever lawyer ...

You see where I'm going with this? Does this sound too far fetched to you? Yeah, I know -- and that is exactly why you need an experienced social media lawyer's help!

I did not just come up with this out of thin air though I may have exercised a bit of artistic license. The general point comes from a real world case where an hourly-wage employee brought a claim for time and a half wages and back pay for all of the time he spent checking and responding to email on his company issued PDA. This kind of stuff can and will happen with social media just as it has with email.

If you do not want your company to be the test case, you need the help of an experienced social media lawyer to prepare a policy to account for these issues. Give me a call and let's get this done unless, of course, you'd rather just save the money that policy will cost so you can pay it to Mr. 20,000 followers down the road for all of that extra time he spent "working" for your company!

To learn more, you can reach an experienced social media law attorney at BrittonTuma by clicking [here](#) or calling 469.635.1335.