

Types of Social Media

Amy D. Cabbage

Social Media: Strategy and Implementation *Are you protected?*

Amy D. Cabbage & Cynthia L. Effinger

[MCBRAYER]

Use of Social Media in Recruiting

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**Social Media for Employers:
PR & Advertising**

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Regulating Social Media Use

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**Avoiding A Social Media Crisis
and Addressing Defamatory
Comments & Activity**

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Social Media: Strategy and Implementation

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(MCB RAYER)



Types of Social Media

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Facebook



The screenshot shows the Facebook page for "Lexington, Kentucky". The page header includes the Facebook logo, a search bar with "Lexington, Kentucky" entered, and a navigation bar with "Brian" and "Home". The main content area features a grid of four images showing various scenes from Lexington, including a large building at night, a street view, a historic building, and a green field. To the right of the images is the "About Lexington, Kentucky" section, which includes a "City" label, a description of the city, and statistics such as "87,631 people like this topic" and "434,743 visits". Below the description is a "Continue Reading" link and a "Suggest Edits" button. At the bottom of the page, there is a "Friends who have visited Lexington, Kentucky" section with a map and a list of friends.

Lexington, Kentucky

About **Lexington, Kentucky**

City

Lexington, consolidated with Fayette County, is the second-largest city in Kentucky and the 61st largest in the United States. Known as the "Horse Capital of the World", it is located in the heart of Kentucky's Bluegrass region. In the 2013 US Census Estimate, the city's population was 308,428, anchoring a metropolitan...

Continue Reading

From Wikipedia, the free encyclopedia · [Edit on Wikipedia](#)

Location Kentucky

87,631 people like this topic

434,743 visits

Things to do in Lexington, Kentucky

Clear 59°F

Know this city well? Contribute by adding more info to places in Lexington, Kentucky.

[Suggest Edits](#)

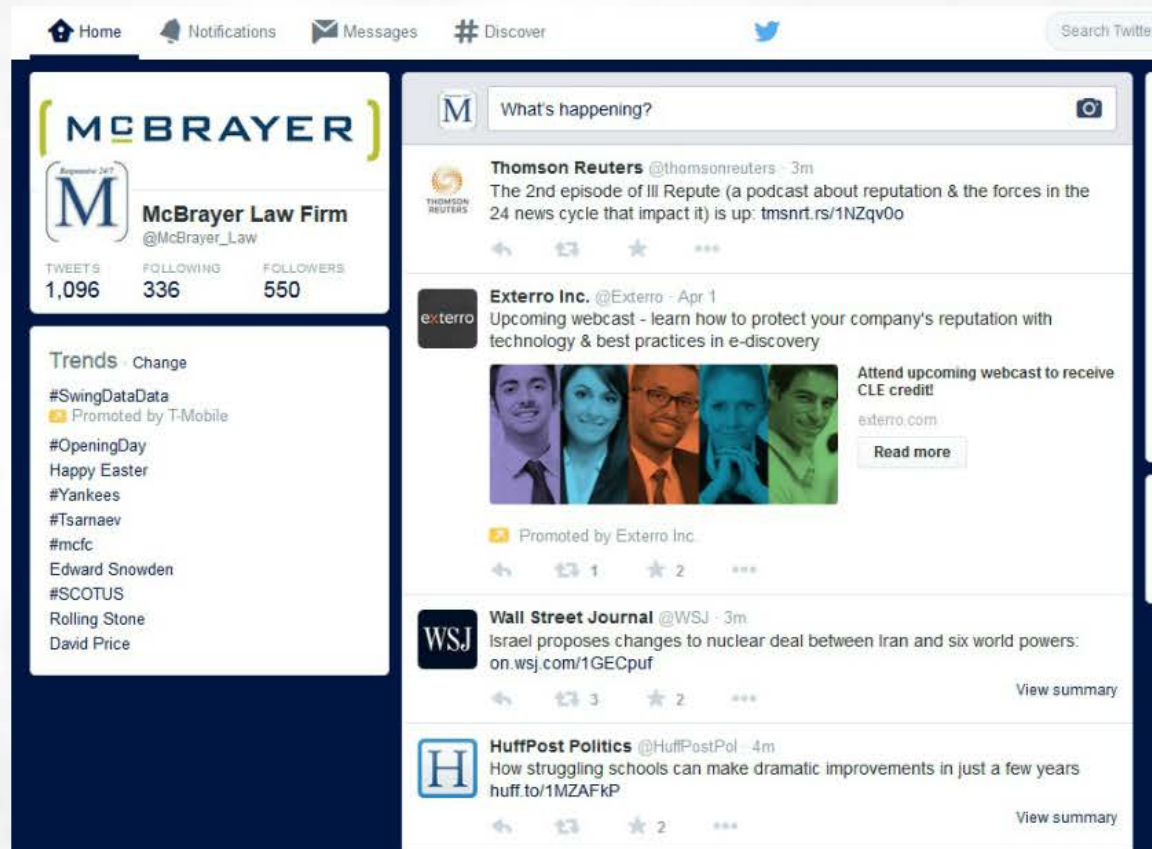
Friends who have visited Lexington, Kentucky

Were here 482 · Like this & related Pages 328 · Have lived here 271 · Have attended school here 188

Map

[MCBRAYER]

Twitter



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LinkedIn

The screenshot shows a LinkedIn profile for 'McBrayer McGinnis Leslie and Kirkland'. The profile has 248 followers and the user is following it. The page layout includes a top navigation bar with links like Home, Profile, Connections, Jobs, Interests, Business Services, and Try Premium for free. Below the navigation bar is a banner for 'Drive More Leads - Advertise Your Listings on Trulia & Grow Your Pipeline'. The profile header shows the company name and a 'Following' button. Below the header is a section for sharing updates, with a text box and a 'Share' button. To the right of the update section is a prompt to 'Share with your followers to drive engagement'. Below the update section is a 'New! Reach beyond your followers with Sponsored Updates' section, which lists benefits like delivering content to a target audience, expanding reach through social sharing, and driving leads by sending quality traffic. A 'Learn more' button is provided. To the right of the sponsored updates section is a 'How You're Connected' section, which shows a list of connections with their names and degrees (1st, 2nd, 2nd, 2nd). Below this list are statistics: 1 first-degree connection, 42 second-degree connections, and 61 Employees on LinkedIn. A 'See all' link is provided. Below the 'How You're Connected' section is a promotional banner for 'the tie bar' by 'LOVED BY GQ MAGAZINE'. The banner features a man in a suit and tie, and text stating 'LOVED BY GQ MAGAZINE, WE BRING YOU PREMIUM MEN'S ACCESSORIES AT AWESOME PRICES.' and 'SHOP NOW'. At the bottom of the banner, it says 'SPEND \$25 AND RECEIVE FREE SHIPPING. USE CODE:WORK'.

Home Profile Connections Jobs Interests Business Services Try Premium for free

[Drive More Leads - Advertise Your Listings on Trulia & Grow Your Pipeline. Find out how.](#)

McBrayer McGinnis Leslie and Kirkland 248 followers [Following](#) [Edit](#)

Home Analytics Notifications

Share an update [Share](#)

Share with: All followers

Share with your followers to drive engagement. Analytics · What's New

New! Reach beyond your followers with Sponsored Updates

- Deliver content to your target audience across desktop, mobile, and tablet
- Expand your reach through social sharing
- Drive leads by sending quality traffic to your landing pages

[Get started](#) [Learn more](#)

How You're Connected

1st 2nd 2nd 2nd

1 first-degree connection
42 second-degree connections
61 Employees on LinkedIn

[See all](#)

the tie bar

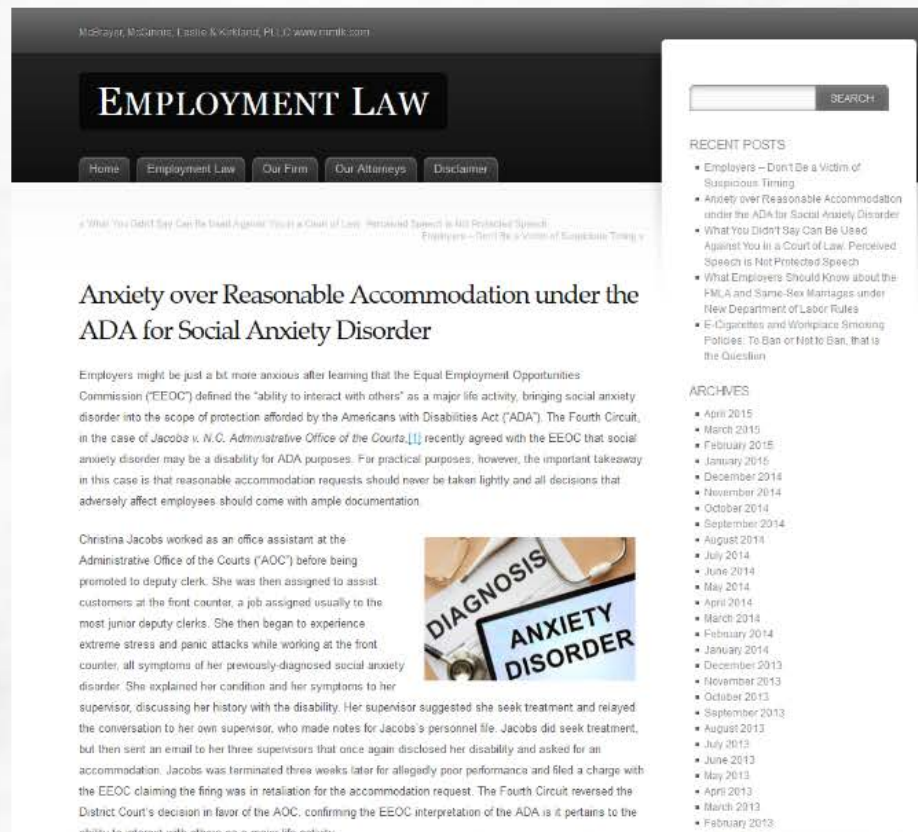
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[SHOP NOW](#)

SPEND \$25 AND RECEIVE FREE SHIPPING. USE CODE:WORK

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Blogs



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Use of Social Media in Recruiting

Amy D. Cubbage

Use of Social Media in Recruiting

- Getting the word out that jobs are available.
- Screening resumes for accuracy.
- Screening potential hires to make sure they “fit” your culture (using only publicly-available social media).



Use of Social Media in Recruiting

- Be aware of state laws that restrict employer access to employee social media passwords – 22 states introduced legislation in 2015 so far with these bans in mind. No current federal legislation or enactment on the topic exists, but it was been introduced at least twice.
- Be aware of asking for passwords or access to personal accounts of candidates.
- When in doubt – Don't do it.



Use of Social Media in Recruiting

- Discrimination: viewing social media leads to discovering potentially discriminatory information about an individual.
- Employers must carefully navigate through information such as marital status, religion, politics, social interests and children.
- This has to be ignored and not influence the recruiter in the hiring process.



Use of Social Media in Recruiting

Negligent Hiring:

- Profile information, must be ignored in the hiring process.
- Use or non-use can both prove to expose the company to a negligent hiring or negligent retention lawsuit.
- If a candidate matriculates, and the company reviewed social media through the hiring process yet ignored derogatory information, and the employee is the perpetrator of a violent act in the workplace, then the company can be held liable for negligence.





Social Media for Employers: PR & Advertising

Amy D. Cubbage

PR & Advertising Considerations

- Account for all forms of social media used by your company
- Develop a clear, consistent message / marketing strategy & stick to it.
- Develop a concise crisis management strategy utilizing social media.

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Top Things to Consider

Strategy

- When an employee or a consultant says "let's dive into social media" with no objective and no strategy, you are taking a big risk!
- Always plot objectives & strategy.
- If sales improvement is your goal but you have product problems, maybe your strategy should be improved products or customer service.

Executive Support

- To achieve any social media success, support must be top to bottom.



Top Things to Consider

Staff

- Assess the current staff's capabilities & capacity.
- Staff must embrace social media.

Measuring progress

- Measure customer successes, downloads, comments, reach, subscriptions, etc.
- If improving customer service is an objective, then measuring growth of fans on Facebook is only important if they are existing customers



Top Things to Consider

Using Available Tools

- Measuring progress and results can be achieved through tools.
- Some are free and some are fee based: HubSpot, Website Grader, Twitter Grader, Facebook Grader, Facebook Insights, Unilyzer, Raven, Hootsuite, SocialOomph, Manage Flitter, Google Alerts, Google Trends, Social Mention.

Willing to Experiment!

- Must be willing to try different ideas.
- If you don't experiment, you won't know what is effective.

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Top Things to Consider

- Expecting overnight results
- Results vary according to a mission, people, and circumstances.
- Trying to maintain control
- We have little or no control over our markets
- Monitor, but give up any illusion of control.
- Employee abuse

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Top Things to Consider

Response time

- Social networking is 24 hours and is immediate.

Allocating enough resources

- Don't under resource your social media marketing plan.

Underestimating the influence of one disgruntled customer

- Old Pro Restaurant v. Palo Alto, CA.





Regulating Social Media Use

Cynthia L. Effinger

Regulation of Social Media

Use by Employees as Part of the Job

- Account for all forms of social media used by your company.
- Give consideration to your intellectual property– make sure it is protected.
- Who owns the company's social media? Make sure more than one person has passwords & access.



Regulation of Social Media

Use by Employees On and Off the Job

- Tread lightly with social media policies – the NLRB lately has aggressively attacked social media policies construed as too broad. Recent guidance by the NLRB General Counsel provides insight into NLRB thinking on social media policies, and the results are eye-opening for employers.
- At issue are Sections 7 and 8(a)(1) of the National Labor Relations Act, which guarantee employees the right to engage in concerted activities, free from interference from the employer



Regulation of Social Media

DO NOT:

- Attempt to regulate off-the-job use of social media to quash discussions of terms and conditions of employment, whether or not the workplace is unionized.
- Restrict online employee conduct for the purposes of protecting the employer's image, or broadly ban the use of the employer's logo or copyrighted material. This can be construed to limit complaints about working conditions that could be harmful to the employer's public image or make use of the company's emblems, etc.
- Force employee conduct towards the company or other employees to be "respectful." Protected employee conversations about unacceptable working conditions will not always be respectful towards the company or other employees.



Regulation of Social Media

The general rule is that employee conduct rules should not potentially restrict employee discussion concerning the employer or other employees on social media, even in a public setting. This is where most employee handbook rules fail in the eyes of the NLRB.

The NLRB will take action against rules that violate this policy, even in the absence of enforcement of the rules against employees.



Regulation of Social Media

DO:

- Narrowly-tailor social media policies to protect against release of confidential information, defamation, intellectual property infringement, proprietary
- Craft specific policies that govern employee conduct toward members of the public while on the clock.
- Enforce your policy and follow up on potential violations using legal means.



Regulation of Social Media

Points to consider:

- A Facebook “like” is considered protected activity
- Complaining about the employer online is protected activity, even if the discussion includes content available to the public that includes profane language
- Employee online discussion that promotes insubordination or active violation of employer policies is NOT protected, however.



Goals for Social Media Protection

- Understand the risks associated with an activity;
- Address them by minimizing them to the extent reasonably possible; and for a responsible person to accept the residual risk.
- Consciously accept risk.
- Avoid sleepwalking.

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Basic Risk

- Internal risks
- Violate the privacy of others
- Violate their own privacy

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Basic Risk

External risks

- All of the above.
- Can disclose confidential company information.
- Can create a 'record' of rants, flame-wars or inappropriate conduct that comes back to bite them.
- Affect employment with the organization, stakeholders, partners, or others.
- Creation of a 'permanent' record cached for all time by search engines and screen shots.

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Avoiding A Social Media Crisis and Addressing Defamatory Comments & Activity

Cynthia L. Effinger



Steps to Avoid a Social Media Crisis

- Develop awareness
- Implement policies and procedures
- Educate yourself, staff and associates
- Communicate the expectations
- Engage your associates
- Monitor what is said
- Manage the process
- Prepare for mishaps





Steps to Avoid a Social Media Crisis

Step #1: Develop awareness

- Become familiar with tools and sites.
- Ask your associates which sites and tools they use.

Step #2: Implement policies & procedures

- Current policies & procedures might be inadequate.
- Check employment & operations, liability policies.
 - Seek legal counsel.

Step #3: Educate

- Yourself, staff, associates.
- Don't leave it to learning through casual use.

Step #4: Communicate

- Make it a topic of sales meetings.
- Write about it.
- Distribute it.

Step #5: Engage

- Connect with associates and staff on social networking sites.
- Subscribe to your associates' blogs.

Step #6: Monitor

- Set up Google Alerts, Technorati (blog search engine) blogs.
- Pay attention to status alerts, profile changes.

Step #7: Manage

- Designate time per week.
- Delegate to management, staff or outsource.

Step #8: Prepare

- Even the best laid out and managed plan can go wrong.
- What do you do if problems arise?

Mitigating a Social Media Crisis

Time is your enemy.

- Act fast!
- Twitter and YouTube are more viral.

Don't fight social media with traditional tools.

- Don't use traditional media (solely) to counter social media gaffes.
- Respond in kind.



Addressing Defamatory Comments

PROGRESSIVE

[Insurance Choices](#)

[Claims Center](#)

[Customer Service](#)

Understanding Insurance

Statement on the Fisher Case

Posted by [Progressive](#) _ on 8/14/2012 at 2:00 PM

I'd like to take this opportunity to explain Progressive's role in this complex case. First and foremost, our deepest sympathies go out to Kaitlynn Fisher's family.

To be very clear, Progressive did not serve as the attorney for the defendant in this case. He was defended by his insurance company, Nationwide.

There was a question as to who was at fault, and a jury decided in the Fisher family's favor just last week. We respect the verdict and now can continue to work with the Fisher family to reach a resolution.

Chris Wolf
Claims General Manager
Progressive

Posted in [FAQs](#)

389 Comments 0 Trackbacks

Mitigating a Social Media Crisis

- Brandjacking
- Is your brand being used properly?
- Is it being used by those authorized to use it?
- Reputation management
- Are you researching your new hires?





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