



### Does Your Social Media Policy Educate About Being “Profersonal?”<sup>1</sup>

Jason Seiden, the co-founder and CEO of Ajax Social Media, calls it *profersonal*: the inherent intertwining of our personal and professional personas online. Last week, Greek Olympian Voula Papachristou got a quick and dirty lesson on being profersonal. Greece removed her from its Olympic team over the following tweet, which mock African immigrants:



According to The Huffington Post, the Hellenic Olympic Committee subsequently “banned all Greek athletes from using social media to express any personal opinions not related to the Olympics and to the preparation for their competitions.”

Voula’s story is a perfect illustration of the disappearing line between the professional and the personal online. If an employee doesn’t want something they say online to affect their employment, they shouldn’t post it. We can debate whether an employee should lose his or her job for something non-work-related he or she posts on his or her personal time. If, however, someone can connect an employee to his or her place of employment through an online profile, what is posted becomes fair game for an employment decision.

The takeaway might simply be that employers remind their employees to “be professional” online, and that businesses will hold employees

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accountable for what they post that could cast the company in a bad light. Amazingly, however, the NLRB might take issue with such a policy.

In his latest missive on workplace social media policies, NLRB Acting General Counsel Lafe Solomon passed judgment on the following neutral provision in an employer's social media policy:

*Remember to communicate in a professional tone.... This includes not only the obvious (no ethnic slurs, personal insults, obscenity, etc.) but also proper consideration of privacy and topics that may be considered objectionable or inflammatory—such as politics and religion.*

Mr. Solomon concluded that such a policy, which merely reminds employees “to communicate in a professional tone,” unlawfully restricts employees’ rights to engage in protected concerted activity:

We found this rule unlawful.... [R]eminding employees to communicate in a “professional tone,” the overall thrust of this rule is to caution employees against online discussions that could become heated or controversial. Discussions about working conditions or unionism have the potential to become just as heated or controversial as discussions about politics and religion.

What is the real lesson here? Social media is an evolving communication tool. Employees have not yet figured out what it means to be “profersonal.” Employees need to realize that anything they say online can impact their professional persona, and that every negative or offensive statement could lead to discipline or termination (even if employers can overreact in these situations). Until people fully understand that social media is erasing (has erased?) the line between the personal and the professional, these issues will continue to arise. It is our job as employers to help educate our employees about living in a “profersonal” world, even at the risk of offending the NLRB’s prickly sensitivities.

How do you go about engaging in this necessary education of employees? Staying in London, the U.S. Olympic Women’s Soccer team provides a perfect example. Goalie Hope Solo took to Twitter (where else) to criticize media coverage of her team’s defensive play after their 3-0 win Saturday against Colombia.

Instead of disciplining Solo, coach Pia Sundhage sat her down and talked to her about the importance of her online image. Per ESPN:

“We had a conversation: If you look at the women’s national team, what do you want (people) to see? What do you want them to hear?” Sundhage told reporters at the team hotel. “And that’s where we do have a choice—as players, coaches, staff, the way we respond to certain things.”