

The Social Media Lawyer: What is a Social Media Policy and Why Is It Important?

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With the explosive growth of social media sites in the last few years, like Facebook and Twitter, as well as the continued influence of blogs as information sources, many business are creating policies which govern what their employees can and cannot say online. In addition, many sites regulate the comments to articles and posts so as not to provide a forum for offensive or harmful content.

In this article, we'll look at how CIC management companies, and the communities which they manage, can benefit from social media policies.

Management Companies

CIC management companies are no different than any other business when it comes to the need for a social media policy for their employees. A proper social media policy is necessary for both employment and marketing reasons.

Employment. On the employment front, companies need to address what kind of access its employees will have to social media sites, particularly at the workplace and during normal business hours, as well as what employees can say about

their employer. On the last point, care must be taken, however, not to infringe upon employees' legal rights in curtailing their comments about the workplace. For example, a recent case, *In Re American Medical Response of Connecticut, Inc.*, involved a complaint filed by the National Labor Relations Board against a company who terminated an employee after she posted negative comments about her supervisor on Facebook. The NLRB held that such comments were protected under the National Labor Relations Act even though the company's social media policy provided that such comments were grounds for termination. Of course, CIC management companies do not typically have union employees. Nonetheless, tread lightly when curtailing employees' speech.

Marketing. A second reason for companies to regulate employees' use of social media pertains to marketing. What are the company's employees saying that will affect the company's brand? A smart social media policy goes hand-in-hand with the company's social media strategy. Care must be taken to decide who will speak for the company online, and what they will be saying. Without clear answers to these questions, a company's use of social media will likely be useless or, at best, will send confusing messages to followers.

Community Associations

These days, community associations are often turning to sites such as Facebook, or other interactive sites, to provide forums for residents to interact and get information about the day-to-day goings-on in the community. In these situations, the social media policy should resemble the

guidelines which many blogs have for managing and moderating the comments section on the blog. These guidelines should include restrictions on using obscene, vulgar or offensive language, posting "spam" comments, infringing on another party's intellectual property rights (such as posting another's copyrighted material and claiming it as one's own), posting advertisements and solicitations for business, or engaging in defamatory, harassing or abusive behavior. In addition, there should be designated page or site administrators who are charged with monitoring any activity, and removing any material which violates these guidelines.

In the CIC context, reputation management is key when dealing with community pages and sites. For example, offensive or defamatory statements made about board members or board actions should be stricken by the administrator(s), as nothing could be worse than a false statement being spread through a CIC community via a social media site.

Conclusion

Social media sites can be powerful tools both for management companies seeking to market their services, as well as for CIC communities as a means for homeowners to communicate. With formal policies in place about how these mediums are to be used, the positive aspects of these sites can be maximized and potential problems minimized. ■

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