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# Dangers Ahead: The Latest Developments in Using Social Media

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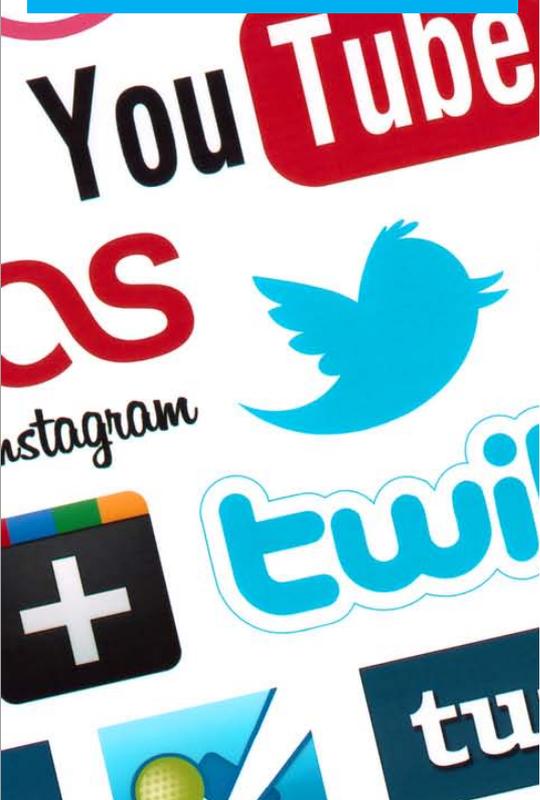
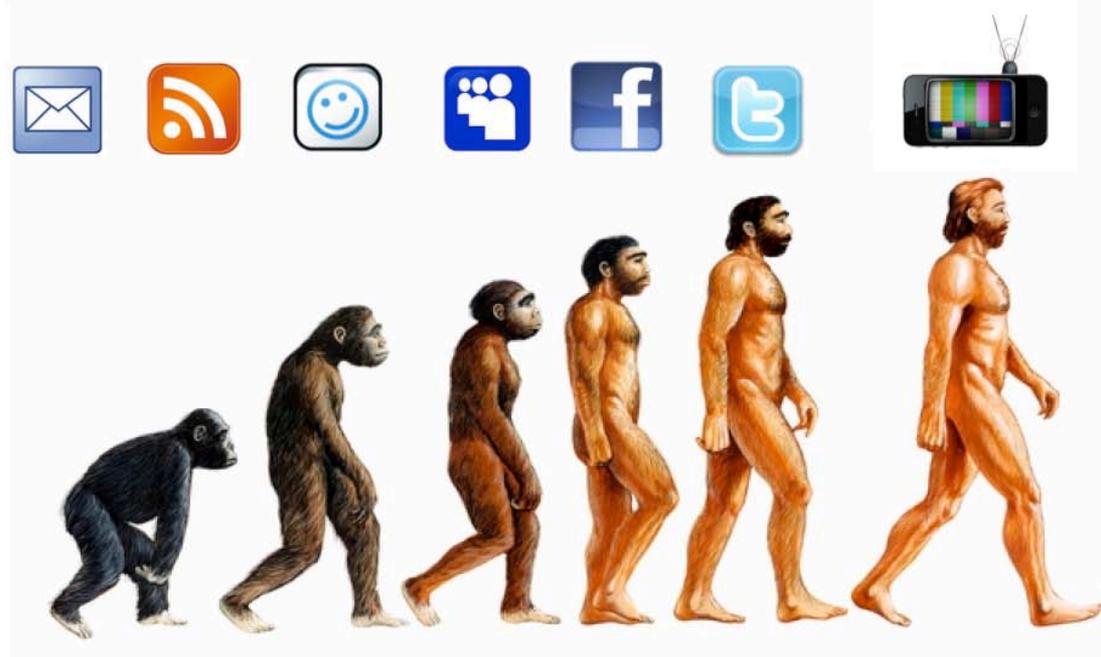


August 12, 2014

# The Evolution of Social Media

Eric B. Meyer | August 12, 2014

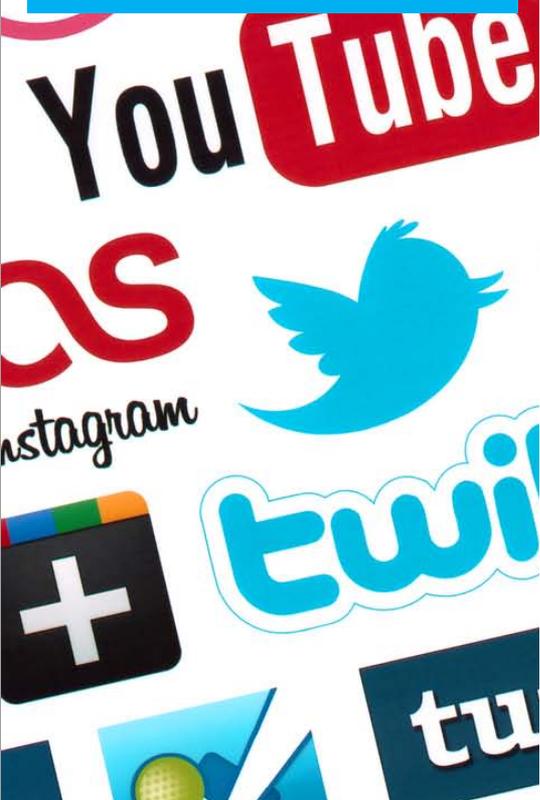
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# The Evolution of Social Media

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# The Evolution of Social Media

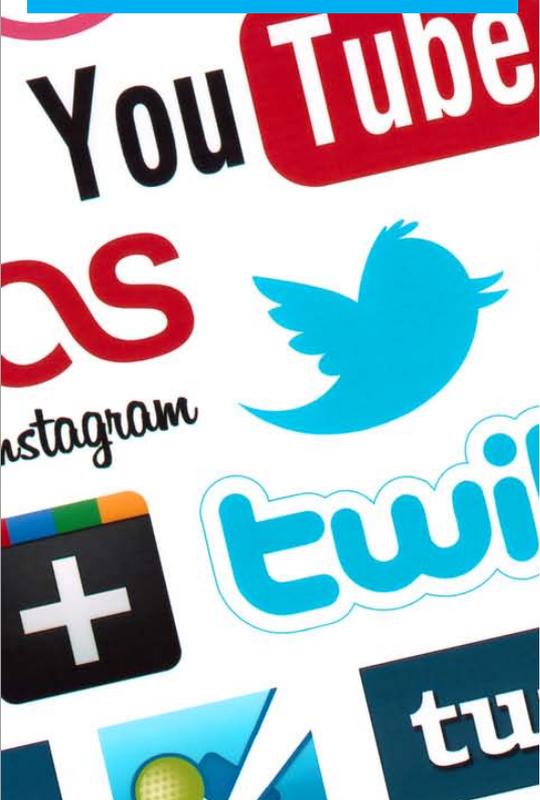
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 **NOISE TO SIGNAL**  
Rob Cottingham • [socialsignal.com/n2s](http://socialsignal.com/n2s)



Fine, you can have an account. But if you end up with more followers than I have, I'm deleting your furry ass.

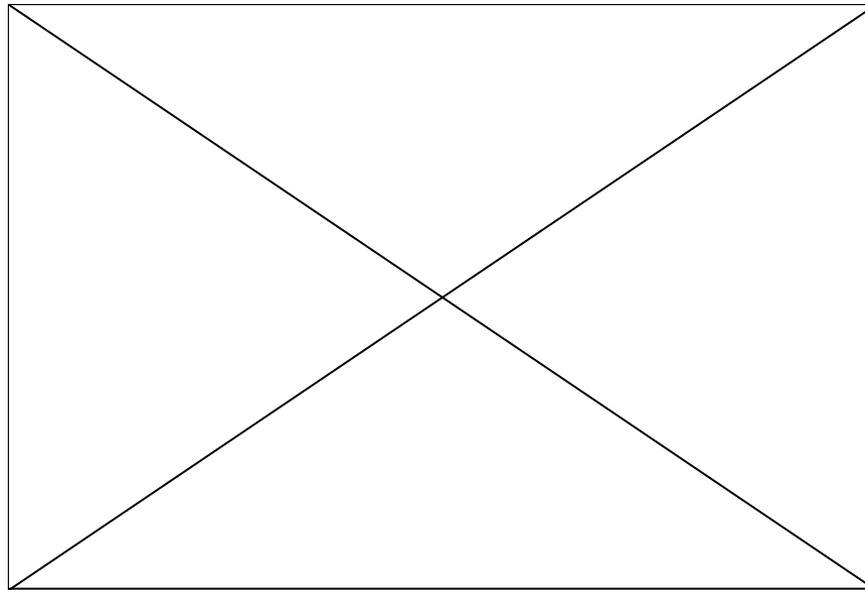
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# The Evolution of Social Media

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## #Hashtag



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## Social Media Statistics

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- 72% of all internet users are now active on social media
- 71% of users access social media from a mobile device
- 42% of online adults use multiple social media platforms

\* [JeffBullas.com](http://JeffBullas.com), [PewInternet.org](http://PewInternet.org)



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## Social Media Statistics

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- 89% of people ages 18-29 use social media
- 72% of people ages 30-49 use social media
- 60% of people ages 50-60 use social media



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## Social Media Is ~~Viral~~ HELLA-VIRAL

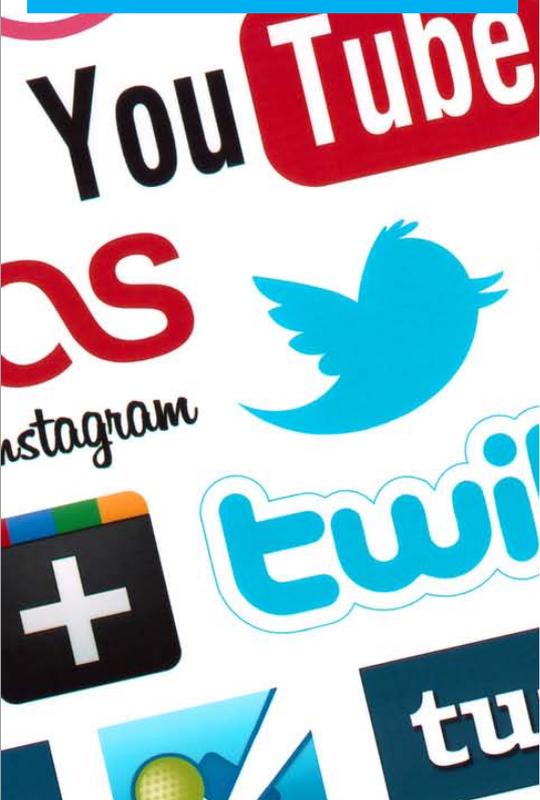
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- “Delete” does not mean “delete”
- Sender relinquishes control once a message is sent



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## Dangers Ahead: The Latest Developments in Using Social Media

Do employees care about social? In a word, yes.

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- One of every three college students and young employees believes the Internet is **as important as air, water, food, and shelter.**
- Two of five said they **would accept a lower-paying job** that had more flexibility with regard to device choice, social media access, and mobility **than a higher-paying job with less flexibility.**

\* Cisco Connected World Technology Report



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## Social media as a recruiting tool

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- 94% of recruiters use, or plan to use social media for recruiting
- Employers who used social media to hire found a 49% improvement in candidate quality
- 73% of 18-34 year olds found their last job through a social network

\*Jobvite, Aberdeen Group



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## LinkedIn...like a boss!

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- 93% of recruiters use LinkedIn to source candidates.
- LinkedIn users performed over 5.7 billion professionally-oriented searches on the network during 2012.
- 89% of all recruiters have hired someone through LinkedIn.

\* LinkedIn, Jobvite, Herd Wisdom



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## Social Media Screening

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- 2 in 5 employees use social media to screen candidates
- 43% of used passed on a candidate because of social media
- 19% hired because of information found on social media

\* GO-Gulf.com



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## Why use social to screen candidates?

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- To evaluate candidate professionalism
- To evaluate candidate fit





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## Social Media Hiring Red Flags

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- Inappropriate content posted online
- Booze and drugs
- Critical of prior employer
- Poor communication skills
- Discriminatory comments
- Lied about qualifications

\* GO-Gulf.com



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## Social Media Hiring Gold Stars

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- Professional Image
- Good Personality
- Dynamics
- Accurate information
- Creative
- Good communicator
- Positive references

\* GO-Gulf.com



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## Reasons to avoid social media screening

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- Legal risks
- Irrelevant information
- Candidate privacy
- Hard to verify
- Spotty information
- Time
- Scare job candidates

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SHRM.org





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## Employment discrimination concerns

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- Protected-class information not found on a résumé or learned in an interview
- 2014 EEOC Public Hearing

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## Other legal risks of social media screening

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- Fair Credit Reporting Act
- First Amendment
- Privacy laws
- State criminal background check laws
- Off-duty conduct
- Terms of Use

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### State laws regulating social media screening

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- Demands for social media passwords
- Shoulder surfing
- Forced friending





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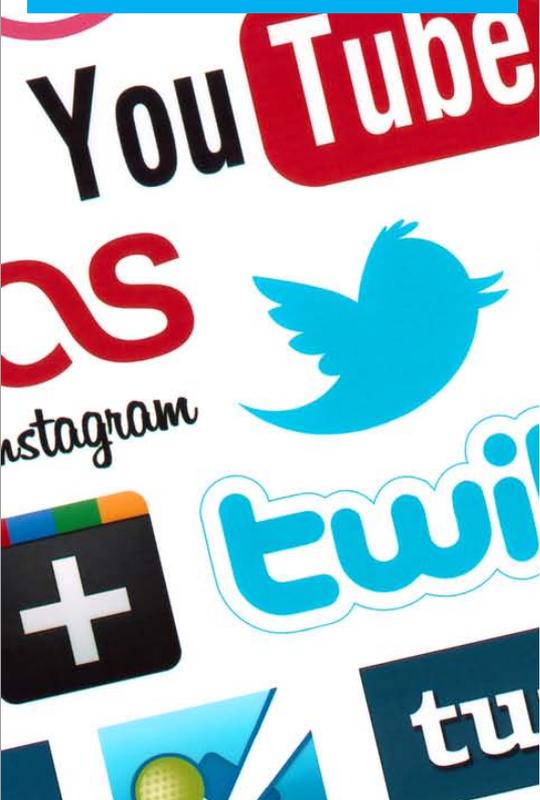
## To check or not to check?

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- Why do you want to use social media?
- What information are you hoping to find?
- Is candidate use of social media a “plus” or a “minus”?
- Is it critical to the position?



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# Dangers Ahead: The Latest Developments in Using Social Media

## Best practices for using social media to screen

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- **Who:** A third-party or non-decisionmaker
- **When:** After the interview and after advising the candidate
- **What:** Have a list; stick to the list
- **Why:** Only if you think it matter matter



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### Best practices for using social media to screen

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#### How:

1. Use checklist of red flags and gold stars;
2. Print the good/bad stuff;
3. Redact the rest;
4. Decide; and
5. Discuss with the candidate





Search

John Doe

+1 Add as Friend

Info

Photos

Video

Notes

Flair

# facebook

**Name:** John Doe/The Wizard  
**Job:** Accountant/Conjurer  
**Hobbies:** Vietnam War Veteran alum activities  
**Religion:** Warlock  
**What I love:** Taking care of my partner through his many illnesses  
**What I hate:** Traveling while there is a Full Moon (can't bring my knife on airplane travel); Managers making me work on Halloween  
**Biggest Accomplishment:** Staying active while receiving weekly dialysis  
**Most telling feature:** My strong Bolivian accent





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## Pros of Social Media In the Workplace

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- Brand ambassadors
- Employee recognition / engagement
- Productivity
- Culture & Camaraderie
- Sharing information – *quickly*

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## Cons of Social Media In the Workplace

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- Productivity
- Confidentiality
- Harassment
- Complaining
- Image

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Amount: 34.93  
Tip 18%: 6.29  
Total: 41.22  
*I Give 100% why do you get 18*



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 **US Airways**   
@USAirways Follow

We apologize for an inappropriate image recently shared as a link in one of our responses. We've removed the tweet and are investigating.

3:26 PM - 14 Apr 2014

---

14,111 RETWEETS 11,435 FAVORITES   



**Tweets** All / No replies

-  **hmv** @hmvtweets 11m  
Sorry we've been quiet for so long. Under contract, we've been unable to say a word, or -more importantly - tell the truth  
[#hmvXFactorFiring](#)  
Expand
-  **hmv** @hmvtweets 12m  
There are over 60 of us being fired at once! Mass execution, of loyal employees who love the brand. [#hmvXFactorFiring](#)  
Expand
-  **hmv** @hmvtweets 14m  
We're tweeting live from HR where we're all being fired! Exciting!!  
[#hmvXFactorFiring](#)  
Expand



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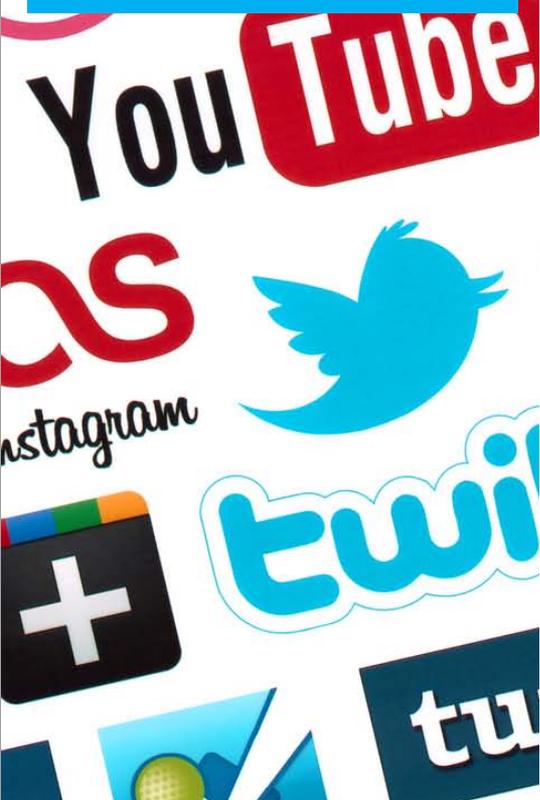
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## Five Social Media Takeaways

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- Off-duty use
- Account ownership
- NLRB
- Freedom of Speech
- Policy



## Off-duty use of social media

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**NO SUCH THING!!!**





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## Account Ownership

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- It's the employee's account unless it's the company's account

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## National Labor Relations Board

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- Employee Discipline
- Overbroad policies





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## Freedom of Speech

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- What is “speech”?
  - Words
  - Photos
  - “Like”
  - Re-tweet





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## Freedom of Speech

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- Elements
  1. Speech addresses a matter of public concern, and
  2. Free-speech interests outweigh the employer's efficiency interests
    - Impairs discipline or harmony among co-workers.
    - Has a detrimental impact on close working relationships for which personal loyalty and confidence are necessary.
    - Interferes with the normal operation of the employer's business.



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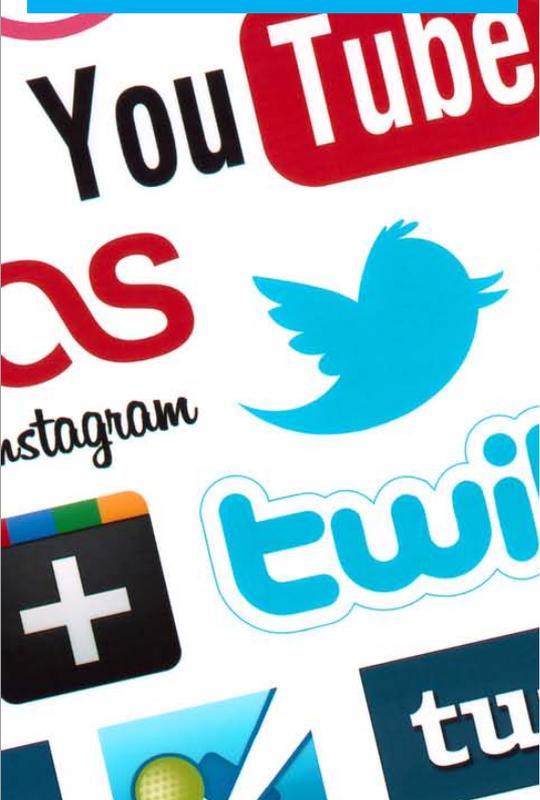
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### Social Media Policy - Why do you need one?

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- To educate
- To set the tone
- To manage expectations
- To protect the company





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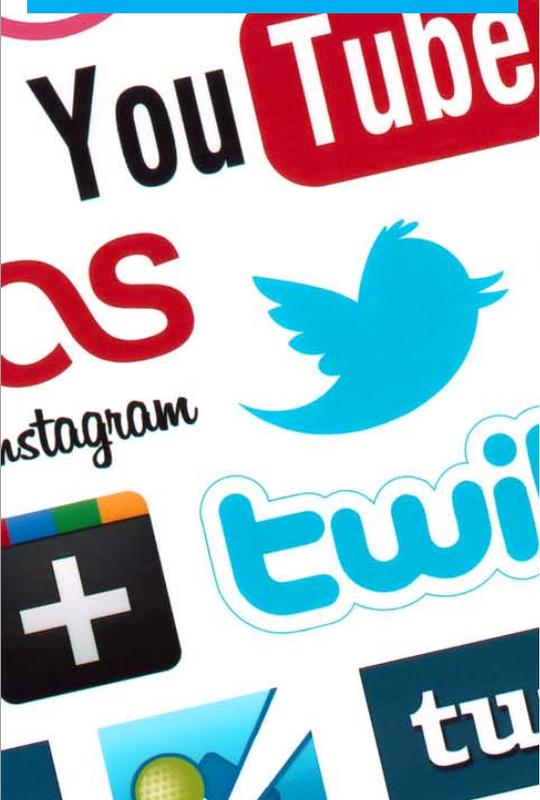
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## Social Media Policy – Elements

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- Philosophy 101
- Social Media 101
- Guidelines
- Rules





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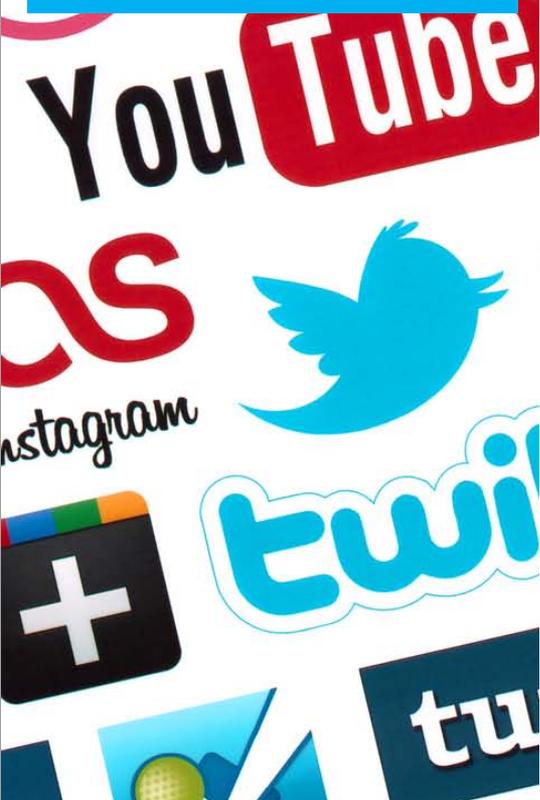
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## Social Media Policy – Guidelines

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1. Exercise good judgment and common sense.
2. It's best to keep your communications civil, appropriate, respectful and polite.
3. Follow the terms and conditions of any social media sites and software that you utilize
4. Identify yourself when posting in order to lend credibility to your online contributions.
5. Be careful who you friend/follow.





## Social Media Policy – Guidelines

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6. Adjust your privacy settings
7. Remember that your social networking activities may create a perception about your employer
8. You are responsible for everything that you write or present online. So be accountable.
9. Don't let social networking activities interfere with your other responsibilities and duties.
10. Before using social media to vent about work-related complaints or issues, consider going to a supervisor instead.





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## Social Media Policy – Rules (Harassment)

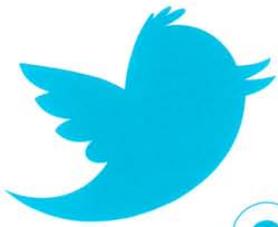
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- Do not "post or display comments about coworkers or supervisors or the company that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the company's workplace policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic."

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YouTube

Instagram



Twitter



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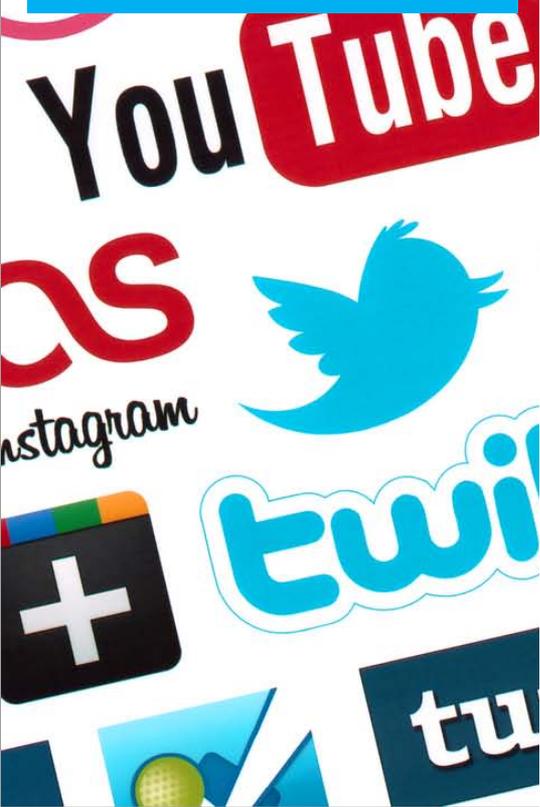
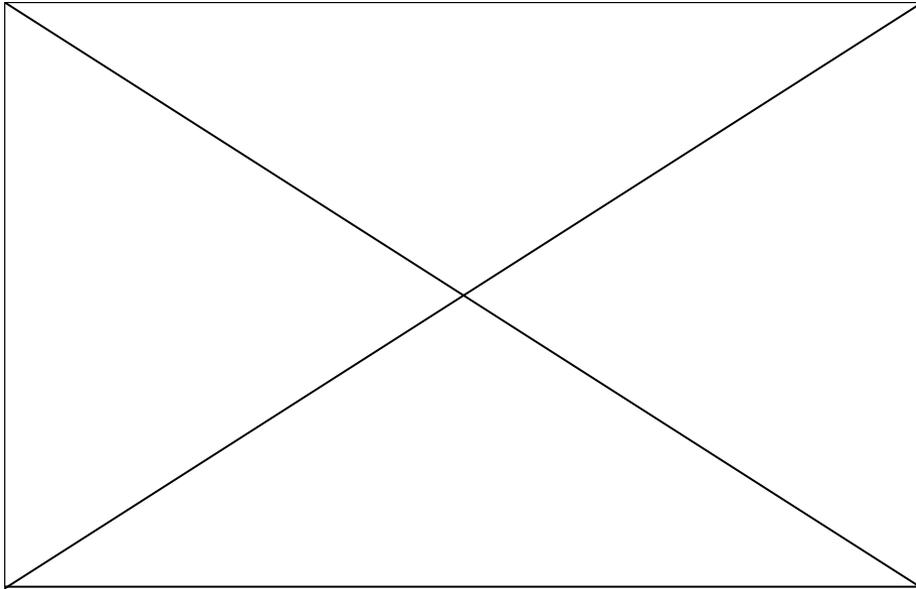


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Social media users can be cruel. So cruel.

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#MeanTweets





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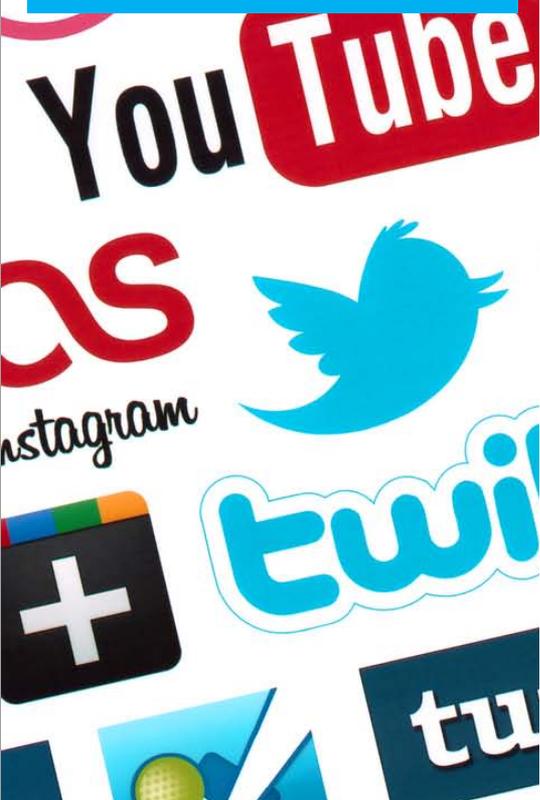
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### Social Media Policy – Rules (Speak for Yourself)

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- Do not represent that your employer endorses any of your communications or personal opinions





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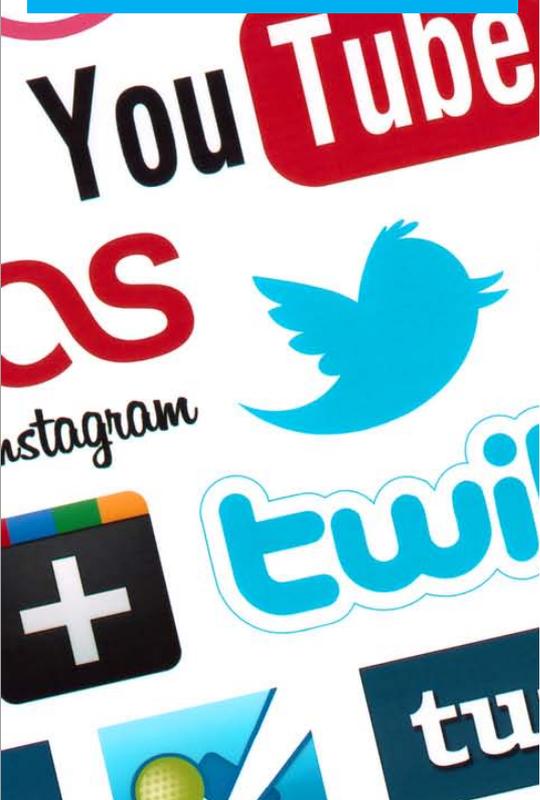
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### Social Media Policy – Rule (Intellectual Property)

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- Do not use any logos, marks or images in any manner that would violate copyright, trademark or fair use laws.





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## Bring Your Own Device (BYOD)

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- **BYOD USER STATISTICS**

- About 70% of employees use their personal devices for work
- 93% of employees would not participate in BYOD, if the company could access personal emails and contacts

Source: SkyDox (via SHRM.org); GLOBO (via EmploymentLawDaily.com)

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## Bring Your Own Device (BYOD)

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### • BYOD POLICY STATISTICS

- 29% of employees said that their company has a BYOD policy
- 42% of employees don't know if their company's BYOD policy allows IT to have full access to their personal devices
- 69% would abide by a BYOD policy

Source: SkyDox (via SHRM.org); GLOBO (via EmploymentLawDaily.com)

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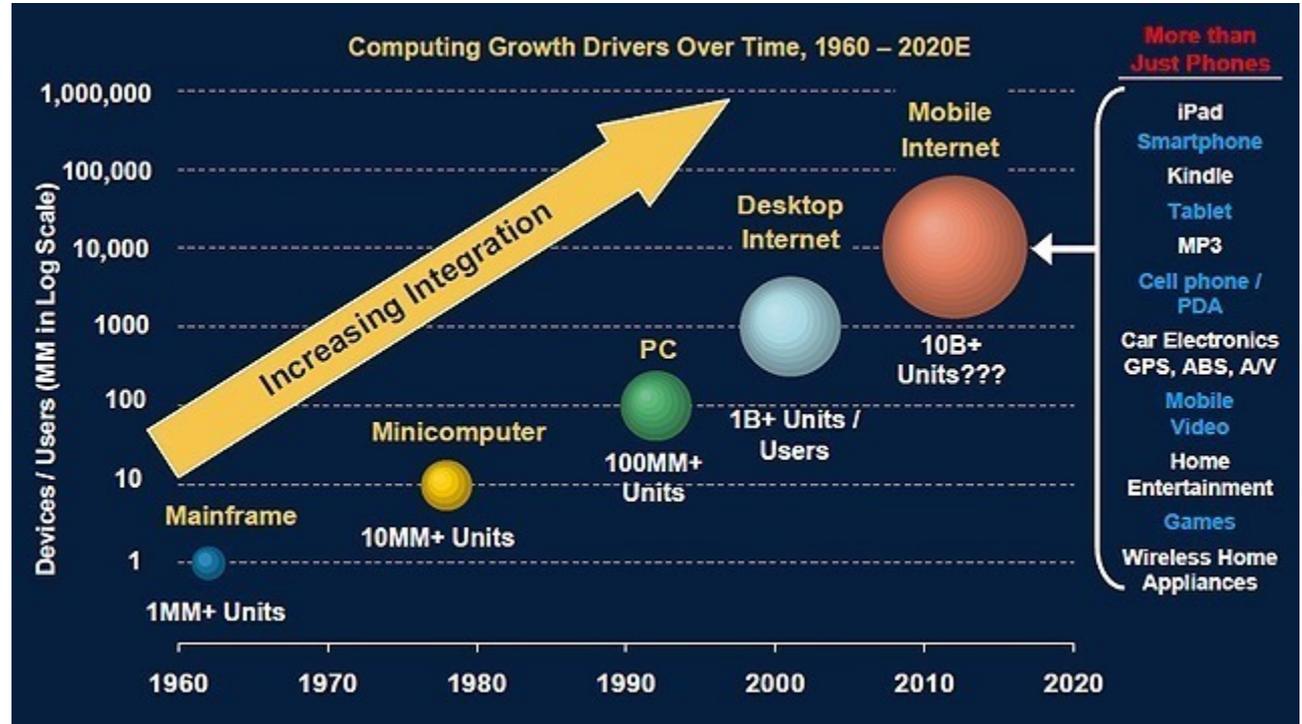
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## Bring Your Own Device (BYOD)

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- **BYOD STATISTICS FOR EMPLOYEES WHO BYOD**
  - 62% use it primarily to check work email
  - 50% use it while on vacation
  - 29% use it in bed
  - 20% use it while driving (Yikes!)
  - 5% use it in a place of worship

Source: GLOBO (via EmploymentLawDaily.com), 2011 Consumerization of IT Study



Source: Mashable.com





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## Bring Your Own Device (BYOD)

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- **BENEFITS TO EMPLOYERS**
  - Boost productivity
  - Attractive to employees and recruits
  - Lower equipment cost





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- **LEGAL CONCERNS FOR EMPLOYERS**
  - FLSA,
  - Invasion of Privacy,
  - OSHA/Negligence,
  - ADA/WC,
  - Litigation Holds (preservation),
  - Trade Secrets (data security),
  - Union Issues,
  - International Law





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## Bring Your Own Device (BYOD)

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- Concerns beyond the device
  - Apps
  - Cloud computing
  - Jailbreaking/Rooting
  - Hacking
  - Connectivity to network and beyond
  - Multiple users

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## Bring Your Own Device (BYOD)

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- **10 BYOD BEST PRACTICES**
  1. Decide who will be allowed to BYOD
  2. Create a list of approved devices
  3. Establish who owns / pays for the device/plan
  4. Clearly define which data is off-limits to the company (personal vs. business)
  5. Stress device security (encryption, passwords, apps, jailbreaks, syncing)

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## Bring Your Own Device (BYOD)

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- **10 BYOD BEST PRACTICES**
  6. Address non-exempt employee use “off the clock”
  7. Reminder that other policies (and laws) apply
  8. Clarify responsibility for lost/stolen devices; maintain ability to access and wipe devices remotely
  9. What happens to the device when employee and employer go their separate ways?
  10. Update (create?) a BYOD policy & get employee consent





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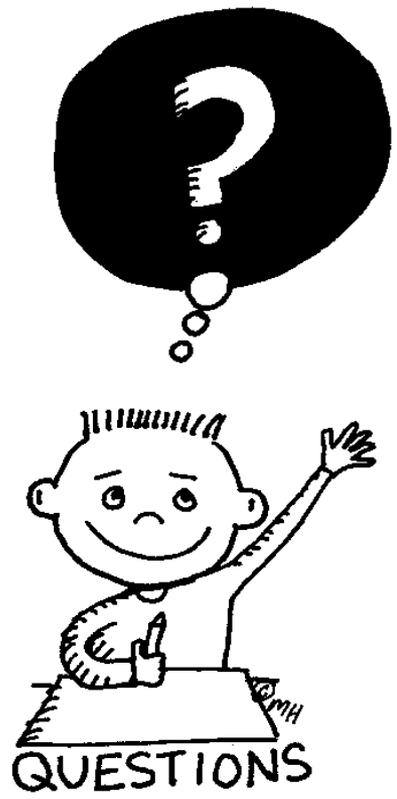
## Other Social Media – Best Practices

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- Communication & Consistency
- Document & Dynamic
- Education
- Flexibility

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That's me!

Not me!

