

SAMPLE POLICY

## Social Media Policy

### DISCLAIMER

*This sample policy is not legal advice or a substitute for consultation with knowledgeable and qualified legal counsel.*

*Baker McKenzie assumes no responsibility or liability for the contents of this generic policy, the only purpose of which is to illustrate some of the issues pertaining to employee social media policies in the U.S.*

*Employee social media laws may vary based on jurisdiction. Federal, state, and/or local law may apply depending on the location of the company, its operations, and its employees. While these laws are often similar, their differences can be material. The following sample policy does not account for the differences in applicable federal, state, and/or local law. This sample policy also does not account for changes in legislation, judicial and administrative precedent, or other developments and/or interpretations of applicable law.*

*Additionally, what are considered "best practices" for Company A may not be "best practices" for Company B. To be effective, an employee social media policy should not be a "cookie cutter" or a "one size fits all" policy. It should be tailored to the organization, and account for the company's specific workforce, operations, and industry.*

**THIS SAMPLE POLICY SHOULD NOT BE RELIED ON OR IMPLEMENTED AS A LEGALLY-COMPLIANT POLICY WITHOUT CONSULTATION FROM LEGAL COUNSEL.**

## SOCIAL MEDIA POLICY

The Company understands that social media can be a fun and rewarding way for employees to share their lives and opinions with family, friends, and co-workers. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about the use of social media, the Company has established these guidelines for appropriate use of social media.

### Guidelines

In the rapidly expanding world of electronic communication, "social media" can mean many things. "Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication.

The same principles and guidelines found in the Company's policies and these basic beliefs apply to employee activities online. Ultimately, employees are solely responsible for what they post online. Before creating online content, consider some of the risks and rewards that are involved. Employees should keep in mind that any of their conduct that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects customers, suppliers, people who work on behalf of the Company or the Company's legitimate business interests may result in disciplinary action up to and including termination.

## **Know and Follow the Rules**

Employees should carefully read these guidelines, as well as other Company policies, including the Company Handbook, and ensure any postings are consistent with all applicable policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject employees to disciplinary action up to and including termination.

## **Be Respectful**

Employees should always be fair and courteous to fellow employees, associates, customers, suppliers or people who work on behalf of the Company. Also, employees should keep in mind that work-related complaints are more likely to be resolved by speaking directly with co-workers or by utilizing the Company's open door policy than by posting complaints to a social media outlet. Nevertheless, if an employee chooses to post complaints or criticism, the employee should avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage co-workers, customers, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Company policy.

## **Be Honest and Accurate**

Employees should make sure to always be honest and accurate when posting information or news, and if a mistake is made, to correct it quickly. Employees should be open about any previous posts made or altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Employees should never post any information or rumors known to be false about the Company, fellow employees, associates, customers, suppliers, people working on behalf of the Company or competitors.

## **Post Only Appropriate Content**

Employees should post only appropriate and respectful content, and in doing so, be careful to:

- Maintain the confidentiality of the Company's trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Employees must not post internal reports, policies, procedures or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate Company policies regarding insider trading.
- Avoid creating a link from a blog, website, or other social networking site to the Company's website without self identifying as a Company employee.

- Express only personal opinions. Employees should never represent themselves as a spokesperson for the Company. If the Company is a subject of the content an employee is creating, the employee must be clear and open about the fact that he or she is an employee and make it clear that the employee's views do not represent those of the Company, fellow employees, customers, suppliers or people working on behalf of the Company. If employees do publish a blog or post online related to the work they do or subjects associated with the Company, employees should make it clear that they are not speaking on behalf of the Company. It is best to include a disclaimer such as **"The postings on this site are my own and do not necessarily reflect the views of the Company."**

### Using Social Media At Work

Refrain from using social media while on work time or on Company-provided equipment, unless it is work-related as authorized by Company management or consistent with Company equipment policies. Employees should not use Company email addresses to register on social networks, blogs, or other online tools utilized for personal use.

### Retaliation Is Prohibited

The Company prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

## ABOUT NAVEX GLOBAL

NAVEX Global's comprehensive suite of ethics and compliance software, content and services helps organizations protect their people, reputation and bottom line. Trusted by 95 of the FORTUNE 100 and more than 12,500 clients, our solutions are informed by the largest ethics and compliance community in the world.