

Salutations

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#Ladiesandgenetlemen

#Goodmorning

This is the age of hashtags, “likes” and followers, when in minutes a flippant comment can become “viral” via twitter. Social Media is no longer just the domain for the young or a tool for the tech savvy. It is a quick, effective channel to keep in touch with your world however you define it—be it the 40 people you actually know or the 3600 strangers you call friend on Facebook. Let’s face it, social media is a part of our lives just as writing a letter or weekly phone calls home once were. In fact, it is far more than that, some companies now justify the effectiveness of their marketing programs based on the number of likes, shares and followers. Social Media IS big business!!!!

And while the pervasiveness of social media is a delight to many, as business people you should be deeply interested in how much productivity time is spent by your employees on social media?

What are the security risks of social media to your organization and is it time for your company to consider a social media policy as a vaccine for survival.

Social media consists of :

- Social networking sites where people can interact with others and share information, usually in real time, for example, Facebook, or LinkedIn;
- Video and photo sharing websites which allow interaction for example, YouTube or Instagram;
- Blogs which allow you to write detailed commentary;
- Micro-blogging which is similar to blogs but limits the number of characters you can type, example Twitter;
- Online instant messaging applications, provide a convenient way to speak privately like BlackBerry Messenger (BBM) or WhatsApp.

Let us take a brisk walk down memory lane.

1995:

- The World Wide Web hosts one million websites.

1997:

- the Launch of Google.

2000:

- 70 million computers are connected to the Internet.

2002:

- MySpace is launched.

2003:

- LinkedIn launches its social network for professionals.

2004:

- Facebook is born.

2005:

- YouTube is launched.
- MySpace becomes the most popular social network in the U.S..

2006:

- Google generates about 400 million searches every day.
- Twitter is born.

2008:

- Facebook is now the largest social network worldwide with over 200 million users. The social network's traffic is twice that of MySpace.

2009:

- “Unfriend” is the New Oxford Dictionary word of the year.
- Facebook surpasses 400 million users.

2010:

- The Internet surpasses newspapers as main source of information among Americans.
- There are over 550 million users on Facebook, 65 million tweets sent per day, and 2 billion YouTube videos watched each day.
- LinkedIn now has 90 million users worldwide.

2012:

- Twitter generates 12,233 tweets per second during the Super Bowl.

2013:

- Jamaicans home and away “tweet” Tessanne Chin to victory on the “The Voice”

We have certainly come a long way, and “like” it or “unlike” it ...social media is the vehicle in which we are now travelling.

Organizations can engage and connect with their customers and employees in a more transparent and accountable way. Moreover, it is a relatively inexpensive and quick way to communicate on a large scale.

It is now commonplace for businesses to include their Facebook page and Twitter handle right alongside their address and telephone numbers. Social media allows them to network, attract and communicate with clients, recruit new talent, and promote their brand with less capital outlay than traditional advertising.

This medium has become so important to how key stakeholders view your organization, that a new crop of businesses have been able to capitalize on the social media services.

- Did you know that you can pay companies to write positive reviews about your company, Wipeout negative comments and manage your reputation on-line?
- There are also companies that sell “fan” and “followers”.

So social media is really about influence. Who you can impact whether positively or negatively and in return their influence on you. It becomes a standard on which your company is judged.

Therefore, for businesses social media is not merely skipping through the meadows of opportunities, it is a battle ground of risks.

Unlike traditional print and electronic media, through this avenue, companies have very limited control over what is said about them on the internet, beyond the scope of their own corporate websites - and the potential audience for any negative comments is unimaginable. Organisations also face risks from inside the company, through the possibility of employees misusing their access to social networking sites. Access which can be gained not just by the company-issued

laptop, as employees have their own devices. Employers must therefore recognize that simply blocking websites is no longer a mechanism to reduce employee social media activity.

Social media blunders made by your employees can have a very real impact on your business. For example, in the aftermath of the viral Domino's Pizza video in 2009 company revenues reportedly slipped 1 to 2 percent that quarter. In the Dominos case two Domino's Pizza employees filmed a prank in the restaurant's kitchen, they decided to post it online. In the video a Domino's employee prepared sandwiches for delivery while- and I will put it politely as we just had a meal- violating health-code standards and commonsense, all while a fellow employee provided narration. In a few days, both ended up with felony charges, more than a million disgusted viewers, and a major company facing a public relations crisis. In a few days the video had been viewed more than a million times on YouTube. References to it were in five of the 12 results on the first page of Google search for "Dominos," and discussions about Domino's had spread throughout Twitter. As Dominos realized, social media has the reach and speed to turn tiny incidents into major business crises.

Despite the Domino effect of misuse of social media, there are also the big wins, companies that have turned this medium into a successful interactive tool. 2 examples from 2013 of big business reaching the common consumer in an impactful way are;

Dove, with their real beauty sketches, creates the Most-Watched Video Ad of All Time. Why it worked: Instead of holding women up to supermodel standards, the campaign directly addressed

women's insecurities. In doing so, says Faucheux, it "*created the personal connection many companies strive for but never achieve.*"

By late May, Dove's Real Beauty Sketches went beyond viral to become the most-watched online video ad of all time, according to Unilever. As of this writing, the campaign's homepage had received 18,000 tweets, 681,000 Facebook Likes, and 2,400 Google +1 endorsements.

And there is Lowe's 'Fix in Six' Vine Videos. Home improvement retailer Lowe's launched a series of DIY videos using Vine, the six-second video recording/social sharing app released by Twitter. The Lowe's Vine videos, hashtagged #lowesfixinsix which was also shared on Twitter and a Tumblr blog, demonstrate tasks such as unscrewing a broken light bulb with a baked potato. Bake the potato, cut it in half, place it on the broken light bulb and voila it can be removed.

We can see from these varied stories that companies are facing the conundrum of managing their employees' social media use, maintaining their reputation and connecting with their consumers all through the same space. This is where a social media policy comes in.

A social media policy sets out the standards that an organization expects from its employees when they are using online social media. It should provide guidelines of acceptable behavior and explain what employees should and should not do when using social media in the course of their

employment. In addition it should set out the possible consequences should an employee breach the policy.

Risks

The risks that a social media policy can help organizations to manage include:

- 1) **Loss of productivity** : One of the greatest concerns that organisations face in allowing employees access to social media sites is the possible loss of time and productivity. Workplace social media policies are gaining attention as the number of people commenting, sharing, liking and tweeting every aspect of their life continues to grow. According to the 2013 Professionalism in the Workplace study conducted by York College's Center for Professional Excellence, half of human resources professionals say that "IT abuses have increased over the past five years" among new college graduates, This includes excessive tweeting and using Facebook, which 65.2 percent of HR pros surveyed by the Center said was a common problem. A social media policy can make it clear to employees when it is acceptable for them to use social networking sites for personal use - for example, during breaks - and also what action will be taken by the company in situations of excessive personal use.

Another risk is,

- 2) **Loss of, or damage to, the company's reputation**: There have been many reports in the press of instances where disgruntled employees have criticized their employer in online fora or chat rooms, raising the possibility of damage to the company's brand and reputation. High profile examples of disciplinary action resulting from employees' social media usage include the case of Joe Gordon who is widely known as the first British blogger to be dismissed for work-related comments made online. Gordon wrote a general, allegedly humorous blog, entitled the Woolamaloo Gazette, about his life that occasionally touched on his work at the Edinburgh branch of the bookseller Waterstone's. The comments about work included: complaining about his shift pattern, referring to his manager as "evil boss" and calling him a "cheeky smegger" for asking him to work on a bank holiday. He also referred to the firm as "Bastardstone's". Gordon was dismissed from his position in early 2005 following a disciplinary hearing, but successfully challenged the decision on appeal, following the case's high profile in the media.

Former Liverpool footballer Ryan Babel was fined by the English Football Association for casting aspersions on the integrity of referee Howard Webb by posting a doctored photograph of Webb in a Manchester United shirt on Twitter.

On the other hand it is noteworthy that with respect to the The National Labor Relations Act (NLRA) a foundational statute of United States labour law which guarantees basic rights of private sector employees to organize into trade unions, engage in collective

bargaining for better terms and conditions at work, and take collective action including strike if necessary. The Act provides the operative framework that governs employment-related social media issues. **In their article “Social media issues generally in the employment context: a pragmatic overview” Jessica A.E. McKinney and William C. Martucci** argue that the NLRA:

“protects employees’ social media posts to the extent that the comments amount to concerted activity regarding the terms and conditions of employment. [That is, the NLRA protects employees’] rights to converse in an effort to address conditions at work, irrespective of whether those conversations take place in a brick-and-mortar office or on a digital Facebook “wall.” Thus, when an employer learns that an employee has posted disagreeable comments to a social media Website, the employer must consider the NLRA’s implications before taking disciplinary action against the employee.

By way of example, the Labour Board concluded that several employees’ Facebook postings about an employer’s tax-withholding practices constituted protected, concerted activity involving a term and condition of employment and that the employer’s decision to terminate two employees because of their Facebook conversation was therefore unlawful. The Board reasoned that the Facebook conversation related to the employees’ shared concerns about a term and condition of employment, and noted that the concern had been brought to the employer’s attention by an employee who requested that the issue be discussed at an upcoming meeting. Thus, the NLRB concluded, the Facebook conversation involved group complaints about a term or condition of

employment that contemplated future action. Accordingly, their conduct was protected and their terminations violated the NLRA.”

I am not aware of any cases in the Jamaican context which have tested provisions in our law, however, in determining the parameters of the policy and appropriate sanction for breach the Labour Law must be considered.

- 3) Disclosure of company confidential material is another major risk. Some employers may encourage staff to discuss work related matters in blogs and online fora, as this can be an ideal way to demonstrate their expertise and promote the company to a wide audience. But this can give rise to the risk of confidential information being disclosed, either deliberately or inadvertently. A company may be conducting “secret” product launch meetings and an exuberant employee may tweet “ in war room planning April launch of new products”, which is just a good as just calling up the competitor and saying get ready for us we are launching new products in April.

A social media policy can remind employees of the importance of maintaining company confidentiality, and highlight the fact that they should always make sure that the information they are disclosing is appropriate for the public domain.

The moral of the story is protect your company as much as possible with your own social media policy.

Aliah Wright, editor/manager for Society for Human Resource Management *Online and* author of *A Necessary Evil: Managing Employee Activity on Facebook, Twitter, LinkedIn...and the Hundreds of Other Social Media Sites.*“ sets out what I consider some useful tips when creating a social media policy. They include

1) Ensure that your social media policy outlines what's considered confidential information. Wright encourages employers to define what kinds of information employees can and cannot share online in their social media policies. In fact she advises “Absolutely spell out if employees need approval before posting certain types of information and define what that information is.”

3. Your social media policy should make clear the consequences of your employees’ actions online. “Explain that employees can be held responsible for the things they publish online—even if they are at home on their own time and they think only their closest friends will see what they’ve published,” Wright says. “Define for employees the consequences of what can happen if they, for example, place a video of themselves in their work uniforms engaging in behavior that can cast them and their employer in a negative light.”

4. Your social media policy should designate a company spokesperson responsible for answering questions about your company on social media. Who will be the point person in the

company for customer questions via social media or will you have a social media unit? Either way, make sure your employees know who they should refer questions about your company to online, so they don't answer themselves.

5. Your social media policy should discuss the proper way to engage with others online. "Use real-life examples of the benefits and pitfalls of social media engagement." An example that I noted used in the Social Media Policy of the UK Food Standard Agency is:

An employee working in a customer service role posted offensive comments on her Facebook page about several customers who had subjected her to verbal abuse. The employee had identified her place of employment and a complaint was made to the employer by a customer. This resulted in disciplinary action being taken against the employee for bringing the employer's name into disrepute.

6. Your social media policy should reflect what's considered illegal. Employees shouldn't engage in any illegal activity and should respect others' copyright and trademarks when they're online.

7. Your social media policy should reflect the company's culture. "Your company's social media policy is a great place to reaffirm what you want your company culture to be, while conveying your stance on this serious topic." In other words if "Respect" is a part of your company's values, this can be reaffirmed as employees are encouraged to show respect on social media.

In addition in the same way social media is dynamic, your organisation should ensure that the policy allows some flexibility as new social media channels and platforms emerge. This social media phenomenon is an ever-changing reality, so policy writers are obliged to ensure they have a mindset which allows for constant review and the possibility of full overhaul at a much faster pace than the 'normal' lifecycle of policies.

The very basis of a social media policy is the recognition that social media is a way of life, and most of your employees are active participants. Use the creation of the policy as way to build colleague engagement and use the very social media tools to involve colleagues such that they feel a sense of ownership of the policy. Engage your trade unions and staff associations. In addition consider it prudent to seek the wise counsel of your attorney.

What do you do when a post, which features your brand or your employees goes viral. In other words what do you do when you have implemented a Social media policy and it is breached.

Each case should be treated individually as there are a number of points that should be considered before you take action. Beware of knee jerk reactions and consider the following before deciding upon the best way to respond:

- ensure you have a full understanding of the type of social media used;
- if possible, obtain a screen shot or print out of the post;
- who is the audience / potential audience?

- what is the risk to the organisation?
 - does it affect another employee?
 - can the post be removed;
 - are there posts on your company's social media properties, do you need to delete content?
 - do you need to involve anybody else? For example, do you need the PR team to get to action?
- Is a press statement necessary? Are there legal implications? Where is your lawyer?

We prepare for natural disasters, prepare your organisations for social media disasters. Human behavior is as unpredictable as hurricanes and earthquakes and the reality is that the social media policy is not a vaccine, with the internet there is no instant vaccine. Just as hurricane shutters are no guarantee against a category 5 hurricane, employee handbooks do not stop people from breaking the rules, the existence of laws does not mean crime will not occur, social media policies will not prevent offensive posts which damage your brand from going viral. Does that mean that you we throw away employee handbooks, live in the absence of laws and fail to institute and train people on social media policy. Having a social media policy can go a long way in getting people to think before they click send.