



Know Your Contract

Social Media – The Good, The Bad, and The Ugly

Why discuss social media?

Social media includes blogs, Facebook, Instagram, LinkedIn, Twitter, email, chat rooms, YouTube, etc. It has many benefits and can contribute to productivity. However, it's important to be aware that using social media for work and in our personal lives can impact our employment.

What can I do while on-duty/at work?

Employers expect that when you are at work, you are working and they can impose discipline when computer usage and/or social media is abused.

Although you might not think of it, **spending time on social media as opposed to work duties may be considered time theft**. Other issues that might concern an employer include:

- Reduced productivity levels;
- Computer system threats (viruses/malware);
- Insubordination;
- The lowering of morale;
- Disclosure of confidential information;
- Damage to the employer's reputation.

Can I expect privacy on social media?

Generally – no! **Emails and other social media posts can easily be copied, forwarded or printed**. Do not expect messages to remain private. Also, don't assume your communications are private when you're at work or using employer systems and equipment. It is possible for VIU to monitor computer and social media activities.

In misconduct or discipline cases, evidence captured by social media monitoring or through the copying, printing or forwarding of messages can and are used as proof of wrong-doing.

What about when I'm off work?

Most people consider what they do on their private time to be private. However, **employers can discipline employees for their off-duty actions with minimal links between the conduct and the employer**. Some workers, including public employees like us, are subject to greater scrutiny due to the nature of our work. Remember:

- Even if you do not use social media, others can take and distribute photos or videos of you.
- Regardless of how identifiable your screen name is, accounts can be traced back to you.
- Assigning nicknames or initials to describe a workplace, co-worker, manager or client won't prevent others from de-coding your comments.

Some issues that can lead to discipline include:

- Defaming the employer on social media;
- Using work tools (laptops, cell phones, email) for inappropriate reasons;

- Posting comments or pictures that contradict being on sick leave;
- Engaging with coworkers or others in online harassment;
- Posting racist, sexist or other discriminatory remarks or images;
- Violating confidentiality agreements or workplace codes of conduct.

Discipline

Employers can discipline and even terminate employees for their social media activities

whether done during work hours or outside work time. Ultimately, what matters is whether or not the use of social media has affected:

- **the employer's business interests** – especially if activities cause direct or indirect harm to the employer's reputation; and/or
- **the employee's ability to perform the job** - including their ability to work productively and harmoniously with others at the workplace.

Legal Liability

In addition to discipline, inappropriate social media activity (such as defamation or cyber-bullying) can put you at risk for human rights and civil claims by individuals who are the subjects of social media posts. More severe posts of a harassing nature can also lead to criminal investigations and charges.

A few words to the wise

- **Be aware** - inappropriate social media activity including gossiping, defamation or cyber-bullying can lead to discipline or termination.
- **Remember** - regardless of whether you are at work or not while communicating online, it is the impact of the activity that determines discipline.
- **Do not** use employer supplied work equipment (ex. cell phone, laptop, email account, office server) for personal activities.
- **Stop and consider what you post!** Could it lower the reputation of VIU or a co-worker? Don't write anything online that you would not say in public or put in writing attached to your real name. You cannot hide behind pseudonyms or anonymity!
- **Be aware** - VIU has policies about taking photos or videos in the workplace without the consent of VIU and those pictured.
- **Remember** - social media posts are never really private. Protect the security of your information and restrict who can access your accounts/posts.

**Social media posts, like diamonds, are forever!
Don't let a careless post come back to haunt you.**