

SOCIAL MEDIA POLICY

Purpose

[EMPLOYER NAME] recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, LinkedIn, Twitter, Instagram, Pinterest, Tumblr, blogs, and wikis. However, employees' use of social media can pose risks to [EMPLOYER NAME]'s confidential and proprietary information, reputation, and brands, can expose the company to discrimination and harassment claims, and can jeopardize the company's compliance with business rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the company's IT resources and communications systems are used appropriately as explained below, [EMPLOYER NAME] expects its employees to adhere to the following guidelines and rules regarding social media use.

Apart from personal use of social media in accordance with this policy, [EMPLOYER NAME] [encourages its employees to participate responsibly in these media as a means of generating interest in [EMPLOYER NAME]'s [products/services] and creating business opportunities, so long as all of [EMPLOYER NAME]'s rules and guidelines regarding social media usage, particularly in a business context, are adhered to/takes no position as to its employees' participation in these media for business purposes]. However, if you are required to use social media as part of your job duties, please refer to the section entitled "Business Use of Social Media" below.

Compliance with Related Policies and Agreements

All of [EMPLOYER NAME]'s other policies that might apply to social media use remain in full force and effect. Employees should always adhere to them when using social media. In particular, the following policies should be kept in mind:

- [RELATED POLICIES AND AGREEMENTS.]

Social media should never be used in a way that violates any other [EMPLOYER NAME] policies or employee obligations. If your social media activity would violate any of [EMPLOYER NAME]'s policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to:

- Violate [EMPLOYER NAME]'s IT resources and communications systems policies.
- Violate [EMPLOYER NAME]'s confidentiality and proprietary rights policies.
- Circumvent [EMPLOYER NAME]'s ethics and standards of conduct policies.
- Engage in unlawful harassment.
- Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment.
- Violate [EMPLOYER NAME]'s privacy policies (for example, never access private password-protected sites of coworkers or other [EMPLOYER NAME] stakeholders without permission).

- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial "buzz" around our business, products, or stock).
- [[OTHER PROHIBITED CONDUCT].]

Employees should always disclose that they are employees of [EMPLOYER NAME] when promoting our [products/services] on social media platforms.

Employees who violate [EMPLOYER NAME] policies may be subject to discipline, up to and including termination of employment.

Personal Use of Social Media

We recognize that employees[might work long hours and] occasionally may desire to use social media for personal activities at the office or by means of the company's computers, networks, and other IT resources and communications systems. We authorize this use during nonworking time so long as it does not involve vulgar, obscene, threatening, intimidating, or harassing content[(not otherwise protected or required by law)], [is not maliciously false,]does not violate any other [EMPLOYER NAME] policies or employee obligations, and does not interfere with your employment responsibilities or productivity. Circulating or posting commercial, personal, religious or political solicitations, chain letters, spam, or promotion of outside organizations unrelated to company business are also prohibited during working time [unless otherwise protected or required by law].]

No Expectation of Privacy

All contents of [EMPLOYER NAME]'s IT resources and communications systems are the property of [EMPLOYER NAME]. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on [EMPLOYER NAME]'s electronic information and communications systems.

You are expressly advised that in order to prevent misuse, [and maintain production and discipline,][EMPLOYER NAME] **reserves the right to monitor, intercept, and review, without further notice, every employee's activities using the company's IT resources and communications systems, including but not limited to social media postings and activities, and you consent to such monitoring by your acknowledgment of this policy and your use of such resources and systems.** This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, log-ins, recordings, and other uses of the systems, as well as keystroke capturing and other network monitoring technologies.

[EMPLOYER NAME] also may store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

Do not use [EMPLOYER NAME]'s IT resources and communications systems for any matter that you desire to be kept private or confidential from [EMPLOYER NAME].

Guidelines for Employees' Responsible Use of Social Media

The above material covers specific rules, policies, and contractual obligations that employees must follow in using social media, whether for personal or business purposes, in consideration of their employment. Employees may be subject to discipline for violations. The following sections of the policy provide employees with common sense guidelines and recommendations for using social media responsibly and safely, in the best interests of [EMPLOYER NAME]. These guidelines reflect the "duty of loyalty" all employees owe their employers, and are intended to add to, not contradict, limit, or replace, applicable mandatory rules, policies, legal requirements, legal prohibitions, and contractual obligations.

Protect the Company's Goodwill, Brands, and Business Reputation. You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses (including the company itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content.

Make it clear in your social media activity that you are speaking on your own behalf. Write in the first person and use your personal email address when communicating via social media.

When you disclose your affiliation as an employee of [EMPLOYER NAME], it is recommended that you also include a disclaimer that your views do not represent those of your employer. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my employer."

Use good judgment about what you post and remember that anything you say can reflect on [EMPLOYER NAME], even if you do include a disclaimer. Always strive to be accurate in your communications about [EMPLOYER NAME] and remember that your statements have the potential to result in liability for you or [EMPLOYER NAME]. [EMPLOYER NAME] encourages professionalism and honesty in social media and other communications.

Respect Intellectual Property and Confidential Information. [EMPLOYER NAME]'s [Confidential Information Policy/[POLICY OR AGREEMENT NAME]] restricts employees' use and disclosure of the company's trade secrets, confidential information, and intellectual property (see above). Beyond these mandatory restrictions, you should treat the company's trade secrets, intellectual property, and [other proprietary information about [EMPLOYER NAME]'s customers and products/other proprietary and confidential information such as [SPECIFIC ITEMS TO BE TREATED AS CONFIDENTIAL]] as confidential and not do anything to jeopardize or unwittingly disclose them through your use of social media. In addition, you should avoid misappropriating or infringing on the intellectual property of other companies and individuals, which can create liability for yourself and for [EMPLOYER NAME].

Respect laws regarding copyrights, trademarks, and other third-party rights. To protect yourself and the company against liability for copyright or trademark infringement, where appropriate, reference sources of particular information you post or upload and cite them accurately. If you have any questions about whether a particular post or upload might violate the copyright or trademark of any person or company, ask [EMPLOYER NAME]'s legal department before making the communication.

Respect Others. In addition to complying with [EMPLOYER]'s mandatory [NAME OF ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICIES] policies, do not post[, or express a viewpoint on another's post, such as by "liking" a Facebook post,] anything that [EMPLOYER NAME]'s customers, clients, business partners, suppliers, or vendors would find offensive,

including ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity, or that is maliciously false.

Supervisors should refrain from trying to connect with their direct reports on social media sites (for example, making friend requests on Facebook). [However, direct reports may request connections with supervisors.]Neither supervisors nor direct reports should feel pressured to accept any social media requests from anyone at [EMPLOYER NAME].

Conduct Not Prohibited by This Policy

This policy is not intended to restrict communications or actions protected or required by state or federal law.]]

Acknowledgment of Receipt and Review

I, _____ (employee name), acknowledge that on _____ (date), I received and read a copy of [EMPLOYER NAME]'s [NAME OF POLICY][, dated [EDITION DATE]] and understand that it is my responsibility to be familiar with and abide by its terms. [I understand that the information in this policy is intended to help [EMPLOYER NAME]'s employees to work together effectively on assigned job responsibilities.] This policy is not promissory and does not set terms or conditions of employment or create an employment contract.]