

# How To Manage Toxic Social Media Posts Without Liability

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**Instructor:** 33-Year Digital Mark Fiedelholz who specializes in Social Media Law

**Length of Training:** This is a two-hour online course.

**Method of Instruction:** The online course includes video, podcasts, case law, and white papers.

**Training Objective:** Mitigate social media risk for both the employer and employee.

**Covered Mandates:** Defamation, First Amendment, Privacy, and Copyright Laws

**Evaluation Process:** Each online course module has a quiz.

**Abstract Summary:** Participants will be introduced to a powerful **“Red Flag System”** that filters harmful social media content, both on and off-duty. Attendees will gain skills to distinguish between protected and unprotected First Amendment speech. Specifically, they will understand the true scope of “free speech” regarding social media opinions and humor on personal devices.

## Training Summary: 2-Hour Online Course

**Module 1 Introduction: (15 Minutes):** -- In the first module, participants watch a video that focuses on the core elements of social media liability. The goal of Module 1 is for participants to establish a strong conceptual foundation to explore more in-depth social media legal issues in future modules.

**Module 2: Biggest Myths: (22 Minutes)** – In the second module, I shatter the biggest myths regarding social media liability and address the new laws that re-classify social media as a dangerous workplace safety issue.

- ✓ Why Federal/State Courts Rule Social Media A Danger, Not Just A PR Issue
- ✓ Understanding The New 1983 Federal Social Media Policy And Training Laws
- ✓ How Posts Trigger Civil Rights Violations
- ✓ Why Infliction Of Emotional Harm Claims Are So Prevalent
- ✓ Why Personal Liability Insurance Is Not Your Safety Net
- ✓ Social Media Impact On Federal and State Evidence Laws and Public Records
- ✓ Review
- ✓ Quiz

**Module 3: Social Media Libel (33 Minutes)** — In the third module I discuss the complex area of social media defamation:

- ✓ Understanding Your State Libel Laws In The Context Of Social Media
- ✓ Differentiating Between A Social Media Opinion And Fact
- ✓ The Pitfalls of Republishing Libel
- ✓ Learning The Nuts And Bolts Of Social Media Libel and Libel by Implication
- ✓ The Costs Of Forwarding, Liking, And Sharing Social Media Libel
- ✓ Review
- ✓ Quiz

**Module 4: Social Media First Amendment Issues (35 minutes)--** In the fourth module I address specific posts and tweets that are not covered by the First Amendment and trigger implicit bias, viewpoint discrimination and other discriminatory content. I also address the thorny issues of blocking and deleting social media content:

- ✓ What Social Media Content Triggers Discrimination Claims
- ✓ Responding To Reviews Without Liability
- ✓ What Social Media Humor Triggers Lawsuits
- ✓ Why Social Media Is A Lightning Rod For Harassment Claims
- ✓ Understanding Federal And State Social Media Cyberstalking Laws
- ✓ Review
- ✓ Quiz

**Module 5: Social Media Privacy Invasion (20 minutes)—**In the fifth module I give participants a survey of the current and emerging issues on social media privacy both at work and on private networks.

- ✓ The Hidden Liabilities Of Social Media Privacy
- ✓ Dispelling The Myths Of Social Media Privacy On Private Accounts
- ✓ Specific Social Media Invasion Of Privacy Examples
- ✓ Review
- ✓ Quiz

**OPTIONAL: Module 6: Copyright Laws You Need To Know (20 minutes)—**In the sixth module I focus on the core copyright issues participants need to know to avoid infringement claims.

- ✓ What You Must Know About Copyright And Trademark Infringement
- ✓ The Laws Regulating Use Of Department Logos On Social Media
- ✓ Questions and Answers
- ✓ Review
- ✓ Quiz

**OPTIONAL: Module 7: COURSE REVIEW: (20 Minutes)**