

SOCIAL NETWORKING AND WORKPLACE POLICY

BY RONALD V. MCGUCKIN AND ASSOCIATES

The cultural phenomenon of creating virtual lives or virtual identities on social media platforms like Facebook is beginning to creep into the workplace. People can now recreate themselves in what seems like a consequence free medium. As a result of the lack of personal contact, people often feel freer to be bold, confrontational and/or outrageous on their personal websites and/or blog.

People, particularly young adults, forget that anyone in the world can access their personal website and/or blog and view pictures and/or written entries. Once accessed the pictures or written entries can be sent all over the cyber world to be viewed by millions. People also forget that the same consequences which would apply to a letter or verbal statement apply to the information posted in cyberspace. Additionally, once an image or text is placed on a website page, it may be copied, archived or downloaded by another internet user and placed on their website. So even if an image or text is removed from a specific page, it may still be available on other pages and/or sites. This is why it is so important for the images and/or text not to appear on the internet at any time!

In the summer of 2007 we saw this very thing in relation to Miss New Jersey. She was subject to blackmail and extortion for pictures she posted on her personal website. The pictures, while not pornographic, were distasteful with respect to her role as a public figure and caused her a great deal of embarrassment.

During this same time we were retained by a child care program to help them deal with a former employee who was threatening the program director and making false and disparaging statements against the center on her Myspace page.

Just imagine a parent of an enrolled child surfing the internet. The parent enters their child's teachers name in a search engine and up pops the teacher's personal website. The parent views the teacher's website and possibly finds comments about other employees, children and/or pictures of the teacher at a nightclub in a drunken stupor. This would be a public relations nightmare for the program.

On a seemingly innocent side of this issue, you have a teacher developing a website chronicling her/his career. The teacher includes digital photos of the children with journal entries. This seemingly professional website could be considered a violation of the child's and/or family's rights of privacy. Worse yet, the photographs could be downloaded by child predators and the predator would know where to find the child.

Many Fortune 500 Companies "google" candidates for employment in addition to checking employment references in the "old fashioned" or traditional way. As part of the recruitment plan/selection process we encourage employers to use this new tool to check an employee's cyber-persona to make sure there are no moral or ethical issues presented in the cyber world.

We recommend including serious employment consequences for violation of this policy and a statement indicating that the agency will pursue all legal remedies available. Additionally, we recommend including this issue in a staff meeting and/or professional development program for all employees. Since cyberspace is an exciting and relatively new frontier, many people have not considered the downside to such a free and anonymous environment therefore, it is important to bring these issues to your employees' attention. This

is a wonderful topic to address during August pre-service trainings and/or in the September staff meeting.

Ronald V. McGuckin has gained national reputation as "The Child Care Lawyer." Each year he trains thousands of child care professionals on a variety of issues, including personnel, administration, infectious disease policies, confidentiality, and other management and legal issues. He is the found board president of a county wide head start program and continues to have a strong interest and involvement in the head start program. McGuckin is Agency Counsel for many child care agencies in Pennsylvania and has consulting agreements with child care agencies in most states. He is the co-author of three valuable resources for child care administrators: Current Issues in Childcare, which focuses on legal aspects of operating a child care program, Model Personnel Policies for Child Care Agencies 1st through 4th Editions, which contains a CD to produce a customized personnel policy manual for your child care agency and Model Parent Handbook for Child Care Agencies, which has proven to be a valuable asset to the child care industry nationwide.

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