

Are You Friends with Your Colleagues? The Pitfalls of Accepting “Friend” Requests from Coworkers on Social Media

By Heather N. Stone, Esq., Risk Advisor

Today, it would be difficult to find someone who does not use social media for either personal or business reasons. Social media is fast, convenient, and fun. It permits people and companies to connect in virtual communities and instantaneously exchange information, ideas, pictures, and other content. Many companies use social media to build their brand and connect to customers in new and innovative ways. By engaging in this common dialog, companies utilizing social media appear more relevant and relatable.

Employees are also faced with abundant options for connecting via social media (i.e., Facebook, Instagram, Snap Chat, Tumblr, Twitter, and LinkedIn). Social media platforms permit people to express their ideas on a broad range of topics, including politics, religion, family, and even work.

When personal friendships develop in the workplace, colleagues frequently ask to connect with one another via social media. When these connections occur, colleagues are elevated from mere coworkers to “friends,” “followers,” and “connections.” While there



are many benefits to this heightened level of connectivity among peers, these forms of communications can have their pitfalls.

Pitfall #1:

Online Complaints Might Be Protected Activity

What reaction would you expect a supervisor to have if, after accepting a “friend” request on Facebook from a subordinate, he discovers that his colleague and other coworkers regularly post complaints about the company? Even if these online comments offend or disappoint the supervisor, there is very little he can do to stop the negative dialog. The National Labor Relations Board (NLRB) protects the rights of employees to act together to address conditions at work,

with or without a union. This protection extends to certain work-related conversations conducted on social media, such as Facebook and Twitter.

Employers must be mindful that negative online conversations about terms and conditions of employment may be deemed a protected concerted activity. Attempts to end such a dialog could result in allegations of retaliation, constructive discharge, and even wrongful termination in violation of public policy. Even if an employer's instinct is to discipline complaining employees for their negative remarks, employers should think twice and consider the NLRB implications before doing so.

Pitfall #2:

Personal and Professional Relationships May Collide

Social media is by its very definition "social." Because of that, people post a broad range of news about their personal lives on social media without much regard for who is in their online circle of friends. A person with "big news" to post can sometimes forget that his/her audience includes someone from work. Consider the following scenario:

Jessica has been late to work several days in the last month. Her supervisor, Donna, is under pressure from the owner to write up Jessica for attendance issues. Before meeting with Jessica, Donna happens to check Facebook and sees that Jessica posted:

"Well, it's not the flu! I just found out I'm pregnant!! Not sure how I can keep working through this morning sickness, but if this keeps up, I will probably have to tell folks sooner than expected! In the meantime ... Shhh! ... don't tell anyone, I want to keep it secret until after my first trimester."

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After reading this, Donna “likes” the post; and she now understands that the reason Jessica has been late is because of morning sickness. Donna also knows that the anti-harassment provisions in California’s Fair Employment and Housing Act (FEHA) protect Jessica from adverse employment actions being taken against her because of her pregnancy or pregnancy-related conditions (including morning sickness). By reading the post and reacting to it, Donna is now in a precarious situation. If Donna tells the owner that Jessica cannot be written up because Jessica is pregnant, then Donna is violating Jessica’s personal right to privacy. On the other hand, if Donna proceeds with the write up, Jessica can argue pregnancy discrimination or harassment under the FEHA.

Here, Donna’s professional life and her personal friendship with Jessica have collided, leaving Donna without good options for proceeding.

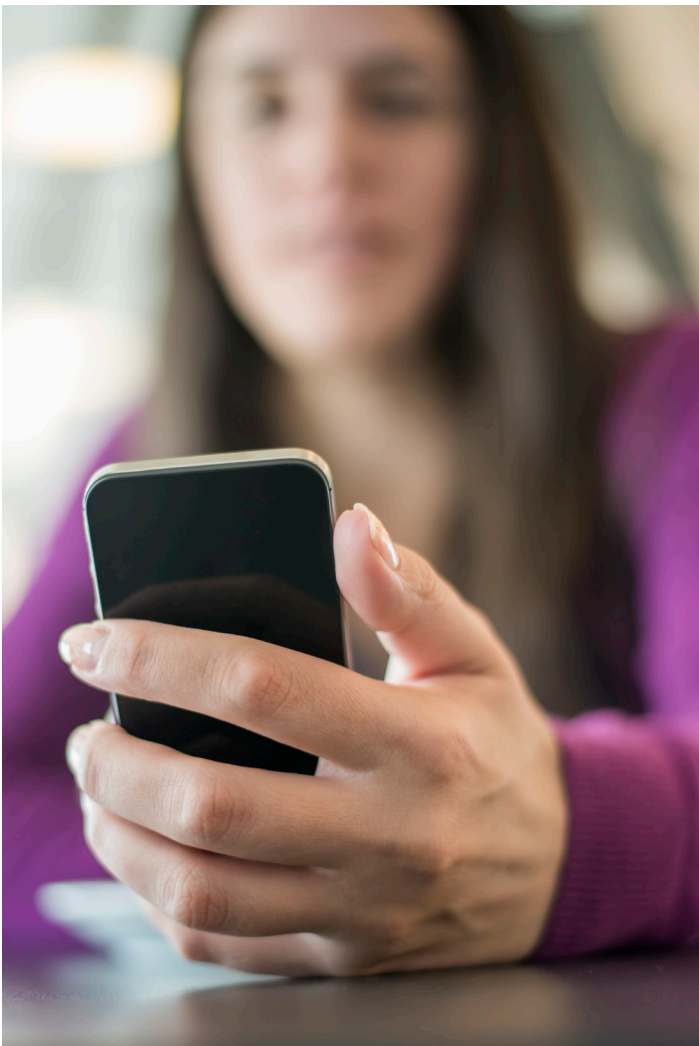
Pitfall #3:

You Might Not “Like” a Coworker after Learning What He Says Online

Social media is an effective platform for promoting differing and even extreme points of view. For instance, a person with strong political preferences can use social media to connect with like-minded people and garner support for a preferred political candidate. But what happens when that person’s candidate favors radical or controversial ideas? While vehement political expression is often supported on social media, extremism rarely functions well in the workplace.

Both state and federal law strive to promote and protect inclusion and diversity in the workplace. Companies enforce these ideals by including equal employment opportunity and anti-harassment/ anti-discrimination provisions in their handbooks. In addition, some employers may also be required by California law to provide respectful workplace training to supervisors and managers.

Suppose that your manager, Jack, understands these laws and has signed off on your company’s policies supporting them. In the office, Jack is friendly with his colleagues and tries hard to not let his personal views interfere with his assessment of the employees that report to him. In his personal time, however, Jack goes on Facebook and shares several controversial posts from a political candidate saying disparaging remarks about minorities. Those posts are liked and shared by three other managers at your company. Shortly thereafter, John, a minority, is overlooked for a promotion. John has seen the comments that Jack and the other managers reposted from the controversial political candidate. John quits, claiming he had no chance of succeeding in an environment where the managers clearly dislike people of his nationality. Even if Jack held no personal animosity toward John, Jack’s online hostility toward minorities will likely be the center of John’s abusive work environment claim.



Pitfall #4:

Even Innocent Posts Can Affect the Workplace

Do you remember the days when people kept their innermost thoughts to themselves? Or, if they dared express those thoughts, the only place that they may be captured was in a discrete, private, handwritten diary? There was a time when most people would be mortified if others could read their private thoughts. Today, with the advent of social media, and the ability and permission given to people to immediately express whatever is on their mind, those days of discretion are gone.

Perhaps a little discretion and filtering are still advisable, particularly where your online community includes coworkers or even your boss. Consider the impact this statement had when George (the boss) read this Tweet (a post on Twitter) from his employee, Jason:

"So depressed it's Monday. Work is the last place I want to be right now. #ihatelife"

What should George make of this post? Does Jason truly hate his job? If Jason wants to be somewhere other than work, should George help Jason make that happen (i.e., fire him)? What is Jason's side of the story? Would Jason have any recourse if he got fired over this post?

Employers should be mindful that Twitter is the ultimate stream of consciousness social media site because posts made to the site (Tweets) are limited to 140 characters in length. That is hardly enough space to write a complete sentence, much less effectively communicate feelings. Here, George simply does not have enough information to take any action against Jason. Nonetheless, this post is likely to sour their working relationship and could lead George to question Jason's loyalty.

Avoiding Social Media Pitfalls

So how does an employer avoid all of these social media pitfalls? Consider the following advice:

- 1. Know your personal boundaries.** There is absolutely no requirement that you be connected to each of your colleagues on social media. If you are already connected to someone whose posts are inappropriate, create potential liability for the company, or otherwise make you want to close your eyes and pretend that you did not see it, then simply "unfriend," "unfollow" or disconnect from them. Your job is to work with them, not be best friends.
- 2. Give your employees permission to "unfriend," "unfollow" or disconnect from you.** Communicate to your direct reports and your supervisor (if any) that they have permission to disconnect from you on social media, with no questions asked. Again, the focus is on keeping things professional and not letting things get too personal.
- 3. Have face-to-face discussions instead.** If you have found someone in the workplace that you want to connect with on a social level, consider spending your meal/rest periods talking to them face-to-face and sharing photos and stories in person. You might actually "like" it!
- 4. Only connect with colleagues on professional sites like LinkedIn.** Professional networking sites are a great way to share professional content and connection in the workplace.
- 5. Become social after the employment relationship ends.** Social media is the perfect place to maintain meaningful workplace relationships once you or your friend is no longer working for the company.

Finally, use discretion and caution. It may be difficult to reestablish the lines between professional and personal communications, but doing so will not only protect the company but your personal relationships as well.■

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How to Turn a Bad Day Around

Life is full of unexpected frustrations. Running late, spilling coffee on yourself or getting into an argument can start your day off on the wrong foot. The good news is that you can control your mood and prevent these obstacles from ruining your entire day.

The most important thing you can do is to focus on the positive. Studies show that when you're positive, you have 23 percent fewer health-related effects from stress, you're 31 percent more productive, you're 40 percent more likely to receive a promotion and your creativity levels triple.

Here are a few ways to turn a bad day around:

- Pinpoint the concrete reason for your frustration and address it immediately.
- Write down or recite three things you are grateful for.
- Choose **not** to be a victim of your frustration. Make a conscious effort to be positive.
- Set realistic expectations for your day.

Negative emotions can be contagious. It is worth taking control of your mood—not just for yourself—but for those around you.

This article is intended for informational purposes only and is not intended to be exhaustive, nor should any discussion or opinions be construed as professional advice. Readers should contact a health professional for appropriate advice.

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Detergent Packet Poisoning

Research is finding that children are consuming a dangerously large number of detergent packets. Calls to poison control centers increased 17 percent from 2013 to 2014. More than 22,000 children (mostly under age 3) were exposed to laundry packets during that period, according to the American Academy of Pediatrics (AAP). The AAP also noted a 14 percent increase in calls to poison centers concerning exposure to dishwasher detergent packets.

The packets (or pods) were introduced in 2012 as a less messy alternative to detergent powder, but their colorful designs and strong fragrances can be attractive to children. When ingested, the liquid packets double a child's odds of being admitted to a medical facility, because they are more toxic than traditional detergents.

Exposure to packets of laundry detergent can cause vomiting, throat burns and eye injuries. More severe cases can include breathing cessation, comas, cardiac arrest and even death.

Procter & Gamble, which makes detergents that include Gain and Tide, has set up ad campaigns to emphasize safety in households that use the packets, and says it has made its packaging more difficult for children to open.

Researchers recommend that parents of children under age 6 use traditional laundry detergent instead of the packets. Also, detergent should be stored out of sight and out of children's reach in a locked cabinet, and monitored closely while the cabinet is open.

Chicken Stir-fry

- 2 Tbsp. vegetable oil
- ½ cup carrots, peeled and thinly sliced
- ½ cup celery, thinly sliced
- ¼ cup onion, cut into strips
- 1 green pepper, cut into strips
- 1 Tbsp. garlic, finely chopped
- 1 Tbsp. ginger, finely chopped
- 1 lb. cooked chicken, skin removed, cut into strips
- ½ tsp. sugar
- 3 Tbsp. soy sauce
- 3 cups cooked rice (white or brown)

Directions

Add vegetable oil to a large pan over high heat. Then add the vegetables, garlic and ginger. Stir until the garlic is slightly brown.

Add the chicken, sugar and soy sauce. Stir for one minute or until heated through. Serve over rice.

Makes: 6 servings

Nutritional Information (per serving)

Total Calories	247
Total Fat	7.2 g
Protein	19 g
Carbohydrates	25 g
Dietary Fiber	2 g
Saturated Fat	1 g
Sodium	423 mg

*Percent Daily Values are based on a 2,000 calorie diet.

Source: USDA



Potential Zika Spread Mapped by NASA

NASA scientists have created a map showing the U.S. locations with the highest potential for the spread of the Zika virus. This information will be used to better target future search-and-destroy missions for the female *Aedes aegypti*—the mosquito responsible for the spread of the virus.

Researchers focused on 50 cities within or near the current *Aedes aegypti* population, applying factors such as temperature, rainfall amounts, poverty levels and whether people in those cities have traveled to Zika-affected areas. They then took things a step further and analyzed the chance of the mosquito surviving in those locations during each month of the year. In the wintertime, colder temperatures and a lack of moisture lessen the likelihood of mosquito eggs hatching.

While results of the study matched researchers' expectations, they were surprised as to just how far north the virus can spread in the summer months.

According to the study, all 50 cities studied exhibit the potential for at least low-to-moderate *Aedes aegypti* abundance. And most eastern cities are suitable for moderate-to-high *Aedes aegypti* abundance.

The cities with the highest potential risk include:

Miami, Orlando, Tampa, Jacksonville
and **Tallahassee** in **Florida**;
Savannah, Georgia; **Charleston, South**
Carolina; **Mobile, Alabama**;
and **New Orleans**.

The cities with moderate risk are cities along the eastern coastline, such as

New York, Philadelphia
and the **District of Columbia**,
and then across the country to
Kansas City, Oklahoma City
and **Houston**.



Spotlight On



Cavignac & Associates is proud to support local and non-profit civic organizations, including Workshops for Warriors.



Workshops for Warriors (WFW), is a State-licensed, board governed, fully audited, 501 (c) (3) nonprofit school founded in 2008. The mission of Workshops for Warriors is to provide quality training, accredited STEM educational programs, and opportunities to earn third party nationally recognized credentials to enable veterans, transitioning service members, and other students to be successfully trained and placed in their chosen advanced manufacturing career field.

Founder Hernàn Luis y Prado, a U.S. Navy officer with combat tours in Afghanistan and Iraq,

recalls, “I saw many of my fellow service members feeling lost with no path to a successful civilian life. I needed to change that.” Founded in 2008, Workshops for Warriors moved to its current facility on 2970 Main Street, San Diego in October 2011.

From 2011 to 2015, Workshops for Warriors trained 238 veterans and wounded warriors who qualified for more than 700 credentials, and obtained jobs in advanced manufacturing immediately after completing their programs.