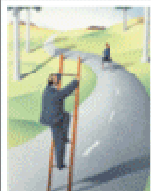




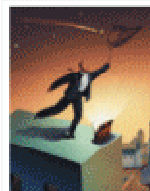
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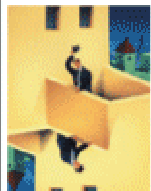
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HR NEWSLETTER:

The Rise and Rise of Social Networking

Welcome to the June Gold Seal Practice Management's Newsletter for June 2010.

Much has happened in the world of people management this year with the introduction of another tranche of Fair Work laws. Many aspects of these have been discussed in previous newsletters including termination procedures and public holidays. If you have missed any of our newsletters, why not visit our website and look under "News" - there you will find our back issues on topics such as Restrictive Covenants in Employment Agreements and the Dollar Value of Effective HR Management.

This month's newsletter covers a topic many of our clients are finding very controversial to manage: that of Social Networking.

We hope you enjoy the read and can take away some tips for dealing with the situation in your business.

Facebook, Myspace, Twitter, LinkedIn. They're here to stay and extraordinarily widely used. Facebook has over 100 million members while LinkedIn has over 70 million members.

With such a large number of people using the sites daily, employers and employees alike, need to understand what it is they offer, how usage should be managed and how we can all leverage off their popularity.

So what is social networking?

Web-based social networking sites allow an individual to create a profile and publish as much or little personal/professional information as they like, to the world! Some of this information can be restricted to certain individuals with access profiles that can be varied by the user.

Facebook is a massively popular site used predominantly for personal profiling. **LinkedIn** has been established as a site for professional profiling. While these are only two of the major social networking sites, social experts believe that many more sites will develop over the coming years, particularly closed social networking sites.

A closed social networking site is limited to members who must have a particular affiliation such as membership to a professional association or college alumni.

So with the increase in popularity of sites such as Facebook and LinkedIn, come the uncharted territories of managing:

- Employees' use of social networking sites at work
- Employees discussing work matters on social networking sites
- Employers using social networking sites for candidate checking
- Employers using social networking sites for recruitment

Let's consider the first 2 issues.

How do you manage employees' use of social network sites in the workplace?

Gold Seal has had many queries this year in relation to this matter. Most employees have internet access either via work computers or mobile/smart phones. Many employees spend time on social networking sites while at work, so it is important to have a clear policy on what is acceptable in your business.

You may wish to consider including something in your IT and Telecommunications policy regarding:

- Access to sites - e.g. employees must not use company property to access these sites
- Time spent – e.g. if employees are allowed to access the sites but only during designated breaks
- Content – e.g. employees must not comment or post images of their employer, fellow colleagues, suppliers, clients or work functions etc on the site

Employers can assist in managing the use of social networking sites in the workplace by having sound policies that all employees are aware of and are encouraged to adhere to - or face disciplinary action in the same way that a breach of any other policy would attract.

What about the use of social networking sites by employers?

You may have heard about it - managers and recruitment professionals logging on to Facebook or similar websites to view a prospective candidate's profile, only to conclude that the candidate's weekend exploits might not match the culture or profile of the business.

*What about the flip side; actively recruiting using social networking sites to find a candidate? **A recent US survey found that employers found this method the second most successful after employee referrals.***

Social networking and recruiting are becoming very "hot topics" as social networking sites become more prevalent and employers are finding themselves using them without any real guidelines as to what is legal and ethical.

We have to remember that many social networking sites contain more personal than professional information and employers must remember to keep the two separate. An employee's desire to spend time on the weekend with supporters of a gay rights group or mums-to-be group is not likely to be relevant to, or impact upon the working life of that employee. If something does not impact on an employee's work performance, it should not be taken into consideration at work. This is a personal matter, not an employment matter.

The difficulty then is discerning what information on the website is relevant to the employment relationship and what is personal and not relevant.

Let's look at another example. If an employer was looking to recruit an employee to maintain aircraft and they found on the social networking site that the candidate regularly mentioned his alcohol and illegal drug use and going to work "wasted"; this information could be viewed as being relevant in declining employment because of OH&S concerns.

Having said that, the employee could still make a claim for unlawful treatment or adverse action and the employer would need to prove that their evidence was thorough and relevant to the working situation.

As you can see the use of social networking sites for recruitment and candidate checking is a very complex matter fraught with danger if not handled correctly.

If you search “social networking and recruiting” on the internet you will find a plethora of articles on the matter. Here is a summary of some of the interesting points we found:

Benefits of using social networking sites

- Social network sites are generally free
- Social networking sites are increasingly popular with memberships in the millions – this broadens the pool of talent available
- Sites such as Facebook and LinkedIn give companies instant access to candidates, particularly passive candidates who may not be actively looking for a new job.
- Social networking sites provide more personal information about a candidate than that in a resume – you can get a more rounded view of the individual.
- Experts in the industry believe that internet job sites will decline and be less relevant to employers as they move to using closed job sites on professional associations and college alumni sites where possible candidates have already passed one of the employer’s screening filters (such as professional qualifications or membership).

Pitfalls of using social networking sites

- Those who lack understanding of legal responsibilities regarding Equal Opportunity, Privacy, Discrimination and General Protections under the Fair Work Act may put themselves at risk if they use the site and the information obtained.
- Sites may be more suitable to a specific group of candidates and thus eliminate other potential candidates from the opportunity of employment – this could be viewed as discriminatory. For example, if a company only sourced candidates from one particular university alumni.
- Another example of this is the demographic of members. A particular site may be used more by a certain age group and if this is the sole method of recruiting, other candidates may view this as discriminatory.

Some considerations when using social networking sites

- Understand employment issues relating to Equal Employment Opportunity, General Protections and Discrimination
- When creating a policy, seek professional or legal guidance
- Publish the policy and communicate it to all employees with specific training for those involved in the recruitment process
- Ensure your IT infrastructure and documented work-place processes have been established or reviewed for:
 - Monitoring employee use of social networking sites at work
 - Using social networking sites for recruitment purposes

For Further Assistance

If you are a Gold Seal Update Subscriber, you will receive updates to materials including the Email & Internet Policy which will address social networking in the coming weeks.

If you do not have the Gold Seal Materials, Update or Assist Service, click here and complete the order form and you will have materials and access to our services within 48 hours of receipt of payment.

If you have any questions, contact Gold Seal on 03 95105100 or email hrrservices@goldseal.com.au

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