



The

Broadcasters' Desktop Resource

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Ask the Lawyer

Social Media Policy For Broadcasters

By Cary S. Tepper

[February 2016] In many ways, social media is just like the Reply-All: in email. It can quickly exchange messages between large groups of people. Of course, there are similar traps of which to be wary. Cary Tepper explains.

Social media platforms are powerful communication tools that can have a significant impact on organizational and professional reputations.

Because they are fairly new to employees and can blur the lines between personal voice and institutional voice, we have crafted the following advice for our broadcast clients to help clarify how best to enhance and protect personal and professional reputations when participating in social media.

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include but are not limited to blogs, *LinkedIn*, *Twitter*, *Facebook*, *YouTube*, and *MySpace*.

Both in professional and institutional roles, your employees need to follow the same behavioral standards online as they would in real life.

The same laws, professional expectations, and guidelines for interacting with listeners, viewers, advertisers, donors, other media, and any variety of constituents apply online as in the real world.

ADVICE FOR ALL SOCIAL MEDIA SITES, INCLUDING PERSONAL SITES

The keys to success in social media are being honest about who you are, being thoughtful before you post, and respecting the purpose of the community where you are posting.

Protect confidential and proprietary information: Do not post confidential information about the broadcast station, its employees, or business partners. Employees must adhere to all applicable federal privacy and confidentiality policies and practices. Employees who share confidential information do so at the risk of potential disciplinary action or termination.

Respect copyright and fair use: When posting, be mindful of and act in accordance with the copyright and intellectual property rights of others and of the broadcast station.

Do not use station logos or watermarks for endorsements: Do not use the broadcast station's logo or any other company images on personal social media sites. Do not use the broadcast station's or company's name to promote a product, cause, or political party or candidate.

Clearly identify your opinions as your own: *If you choose to identify yourself as a station employee on a personal web site, a social networking site, blog or other social media, you are expected to also make clear that you are*

not authorized to speak on behalf of the broadcast station or the broadcast company, and that the views you express are yours alone and do not necessarily reflect the station's or company's views.

This may be accomplished by posting the following disclaimer – *“I am not authorized to speak on behalf of (broadcast station call sign and / or broadcast company name) and the views expressed on this website/blog/site are mine alone.”*

Be respectful: Be respectful of and do not disparage the station, the company, other employees, vendors, suppliers and other businesses. Do not vent personal complaints about supervisors, co-workers, the station or the company, or engage in name calling or other behavior that will reflect negatively on your or the station's or company's reputation.

Respect station time and property: Use of social media should not interfere with your station work commitments.

Comply with station policies: Our station and company policies apply to employee activity on social media as they would in other venues. Employees should not use social media to harass, threaten, discriminate against or disparage anyone.

Terms of Service: Read, understand and obey the terms of service of any social media platform employed.

BEST PRACTICES

This section provides advice for those posting on behalf of the station or company, though the guidelines may be helpful for anyone posting on social media sites in any capacity.

Think twice before posting: Absolute privacy does not exist in the world of social media.

Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the station. Search engines sometimes find posts years after they are created (even if they have since been deleted), and comments can be forwarded or copied.

If you would not say it at a business conference or to another member of the media, consider whether you should post it online. If you are unsure about posting something or responding to a comment, ask your supervisor for input.

Strive for accuracy: Get the facts straight before posting them on a social media site. It is better to verify information first than to have to post a correction or retraction later. Cite and link to your sources whenever possible. Review content for grammatical and spelling errors. This is especially important if posting on behalf of the station or company in any capacity.

Be respectful: Understand the content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster and/or the college and its institutional voice.



Remember your Audience: Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes prospective employees, current employees and colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, nor provoke any of these groups.

Be transparent: Be honest about your identity.

Be aware of Liability: You are legally liable for what you post on your own site and the site of others. Individual bloggers have been held liable for commentary deemed to be proprietary, copyrighted, defamatory, libelous or obscene (as defined by the courts).

Protect your Identity: While you want to be honest about yourself, do not provide personal information that scam artists or identity thieves could use against you. Do not list your home address or telephone number or your work telephone or e-mail address. It is a good idea to create a separate e-mail address that is used only with the social media site.

A GOOD START

Although these guidelines cannot cover every possible social media scenario, they provide a good foundation on how best to utilize social media in a way that will not harm the station, the company or yourself.

Use good judgment. If in doubt, leave it out of social media.

Founder and managing member of Tepper Law Firm, LLC, Cary Tepper has had, since 1985, an extensive telecommunications law practice with regard to broadcast regulation, business negotiations, acquisitions and mergers, facility modifications, radio spectrum allocations, and administrative hearing litigation.

The Tepper Law Firm represents several hundred radio and TV stations throughout the US.

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