

## STRAIGHT TALK ABOUT EMPLOYEE BLOGGING

It looks as though technology is once again racing ahead of good sense and corporate policy. While personal websites are nothing new, the practice of keeping an online web-log or “blog” is definitely on the rise.

In addition to personal opinions, blogs often reproduce material in the form of articles, photos, cartoons, and logos and typically include hypertext links to other websites. Employee blogs will often contain an employee’s opinion on a variety of subjects, including job and job related matters like this one:

*I work for the X-Corp. See, the company logo I set on fire at the top of my web page. I recently discovered that the head of marketing “Mrs. Big” is a total drunk, and she’s having an affair with her boss, “Mr. Slick”. I’m being sent to China again in advance of our new product roll out. I mean, why focus on China? None of our competitors are over there. I hope the top-secret merger goes through with Company Y. They’re a public company. I might get some stock options out of the deal! Thank God I live in a free country where I can let it all out in a forum, like this blog!*

Most bloggers believe they are entitled to share personal insights about their lives during their time away from work. However, careless remarks can unintentionally reveal sensitive information about employers and put a blogger’s job in jeopardy.

Many intellectual property protections are impaired when that information is widely disseminated or if, in hindsight, it appears the company did not take steps to safeguard that confidential information. Therefore, companies should revise their Internet/IT policies with an eye toward blogging issues.

### **Ten Suggested Elements For A Corporate Blogging Policy:**

1. Prohibit employees from blogging on company time.
2. Prohibit employees from disclosing company confidential, proprietary data/trade secrets at any time in any forum.
3. Remind employees that seemingly harmless “insights” into working for the company could reveal (and jeopardize) the company’s future strategies.
4. Prohibit employees from revealing material non-public information about publicly traded companies, even when the employer is not publicly traded.
5. Notify employees that the company reserves the right to monitor employee blogs.
6. Prohibit employees from reproducing company logos, symbols, and slogans.

7. Caution employees against incurring personal liability for comments made in their blogs.
8. Advise employees that First Amendment rights do not typically apply in the employer/employee relationship.
9. Warn employees against using code names to get around company restrictions. Being cute is no defense.
10. Designate a member of management to handle inquiries about the company's blogging policy.