TOP 10 LEGAL UPDATES TO KNOW BEFORE LAUNCHING YOUR SOCIAL MEDIA CAMPAIGN
PRESENTED BY KATE LEGGE, ESQ. & DINA LEYTES, ESQ.
HOW MANY EMPLOYEES MAKE UP YOUR BUSINESS OR ORGANIZATION?

a. >5
b. >20
c. >50
d. <50
WHAT TYPE OF INDUSTRY?

a. Technology
b. Finance
c. Education
d. Health Care
e. Other
Which social media platforms do you use for work? (Select all that apply)

a. Facebook
b. Twitter
c. YouTube
d. Yelp
e. Pinterest
f. Blogs
g. LinkedIn
h. Foursquare
WHAT IS SOCIAL MEDIA?

A GROUP OF INTERNET-BASED APPLICATIONS THAT BUILD ON THE IDEOLOGICAL AND TECHNOLOGICAL FOUNDATIONS OF WEB 2.0, AND THAT ALLOW THE CREATION AND EXCHANGE OF USER-GENERATED CONTENT.

OK, BUT WHAT IS SOCIAL MEDIA REALLY?

SIMPLY PUT, SOCIAL MEDIA IS A TOOL FOR BUILDING RELATIONSHIPS AND EXCHANGING INFORMATION.
WHY SOCIAL MEDIA MATTERS: SOME STATISTICS

- According to recent a Nielsen search, Americans spend 23% of their online time using social networking sites such as Facebook, Twitter and LinkedIn.

- American Internet users devote more time on Facebook than any other site (including Google).

- Social media use is also growing on mobile devices: up 30% from last year.

- Social media ad spend is forecast to hit $8.3 billion by 2015 (from $2.1 billion in 2010).
As organizations of all sizes increasingly turn to social media to generate revenue, increase consumer engagement and build brand loyalty, it is important to stay current on the evolving laws associated with various social media platforms.

Whether you intend to use Facebook, Twitter, LinkedIn, YouTube or more, here are the top 10 legal updates and strategies that you need to know before launching your social media marketing campaign.
DOES YOUR EMPLOYER HAVE A WRITTEN SOCIAL MEDIA POLICY?

a. Yes
b. No
DOES YOUR EMPLOYER PROVIDE PERIODIC SOCIAL MEDIA TRAINING?

a. Yes

b. No
1. PROMULGATE COMMON SENSE SOCIAL MEDIA GUIDELINES AND PROVIDE EMPLOYEES WITH TRAININGS FOR SOCIAL MEDIA USE.
How much time do you spend a week on social media for work?

a. None
b. 0-3 hours
c. 3-6 hours
d. 6-10 hours
e. More than 10 hours
How much time do you spend a week on social media for personal use?

a. None
b. 0-3 hours
c. 3-6 hours
d. 6-10 hours
e. More than 10 hours
2. **Social media policy and trainings should cover personal social media use as well as use on behalf of the organization.**
HAS SOCIAL MEDIA BEEN A USEFUL TOOL FOR YOUR BUSINESS?

a. Not at all
b. Slightly
c. Extremely
3. IF ENCOURAGING EMPLOYEES TO USE SOCIAL MEDIA TO PROMOTE THE COMPANY, MAKE CLEAR WHO OWNS AND CONTROLS THE COMPANY’S TRADE SECRETS AND INTELLECTUAL PROPERTY, INCLUDING SOCIAL MEDIA CONTENT, CONTACTS, WEBSITES, TRADEMARKS AND LOGOS.
4. **Update Privacy Policy and Terms of Use to Accurately Reflect What Happens to Information Collected, Including Ownership of Any User-Generated Content.**
5. If users are contributing content, designate an agent under Digital Millennium Copyright Right Act (DMCA) to reduce likelihood of liability for copyright infringement.
6. Educators should be aware of limitations imposed by Family Education Rights and Privacy Act (FERPA)
7. IDENTIFY STRATEGIES FOR NEGATIVE OR DEFAMATORY REVIEWS OR COMMENTARY ON SOCIAL MEDIA SITES.
8. Review requirements for ads, promotions and sweepstakes on social media sites because they are constantly changing.
9. **Use Facebook and other social media to screen job candidates at your own risk.**
10. The National Labor Relations Board (NLRB) continues to bring cases against employees who use information from social media sites to retaliate against employees. Track NLRB decisions to make sure that you are in compliance.
Q & A