

Kids/People Say the Darndest Things

1. Remember that there is no First Amendment right of Freedom of Speech for an employee of a private employer.
2. Have a Response Team designated in advance, with assigned duties/roles, that is going to respond to and handle social media and off duty incidences.
3. Implement and train on policies that develop a strong corporate culture, including policies on anti-discrimination, anti-harassment, ethics and respect.
4. Consider an off-duty conduct policy that makes it clear that discipline up to and including termination may occur if off duty conduct impacts a company's business reputation or relationship with its customers.
5. Know your company's breaking point. A company always has a range of choices in the action it takes in response to an employee's conduct. Establishing guidelines and priorities in advance of an incident can make the company's response more authentic, agile and effective.

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