

FACEBOOK POSTING CAN GET YOU LAID OFF

facebook

If you live in the Netherlands you need to be careful about what you post on your social networking accounts about your employer. At least you do if you want to keep your job. That may sound like common sense. After all you can't go around posting your employers next secret project or its client list on the web and expect to get away scot-free. But what about just your every day, ordinary gripes? After all, we have all had a client who kept changing the parameters of a project, a boss with unreasonable expectations that no one could meet or a company that lays off workers the way that kids pop Skittles candies. Sometimes work just sucks, for all of us, and we need to vent. The odds are that when you post on Facebook you think of that as your own personal place. One where you can communicate with friends and family, keep up to date on their goings on, see pictures of their kids and generally talk with them. We think of it as, primarily, a social space. The digital equivalent of sitting in your living room with a group of friends talking about your life. So when you have a bad day at work it only seems natural to let off a little bit of steam there. After all, you're not trying to ruin your company's reputation, you're telling your friends about a bad day. Right? Well it turns out that the courts beg to differ. This week a judge in the Netherlands ruled that an employee can be let go, in the form of a lay off, because of the statements he made about his employer on line. The court rules that the statements are not truly private, as you may have thought, because they can so easily be copied and put onto less controlled or private circumstances. So, clearly this judge has never heard of gossip. After all even well meaning people can spread personal information like wildfire, so nothing we say is really that private. The case that this ruling comes from is that of an employee of Blokker. For those of you not familiar with it Blokker is a chain or retail stores. When one of their employees was let go for his comments about the company he decided to challenge the legality of the decision. After a battle in which he insisted that Facebook was a private space, because only his friends could see the posts. The judge disagreed that because the posts were online and could be easily re-posted this was not the case. So while the debate about internet privacy and the rights of a company to protect its reputation, versus the rights of individual expression rages on, with this judge striking a blow in favor of companies and against the rights of a person to say what they like to their own friends, a smart worker might, for the time being, be careful about what they say on the web about their employer. At least until the case law is more refined.

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