

Social Networking and the Employment Relationship

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Abstract— The purpose of the presentation and paper is to examine the legal aspects of the use of social networking in relation to the employment relationship

I. INTRODUCTION

I N recent years social media and social networking in particular have seen an unprecedented in history growth, due to the omnipresence of the computers and other similar devices (i.e. mobile phones) and the expanded, in time and space, use of the Internet. The employment relationship has not remained unaffected, as more and more employers and employees use, under their respective capacities, social networking to promote their own and often competing interests.

II. ISSUES TO BE EXAMINED

T HE main issues to be examined are the use of social networking by the contracting (in an employment relationship) parties:

- in and out of office.
- before, during and after the employment contract's validity
- as a means of violating the employment contract obligations and the resulting consequences in the employment contract.
- as a means of committing criminal acts related to the employment relationship

The author will attempt to explore the application of the already accepted concepts and principles, particularly the employee's 'obligation of loyalty', in the new technological environment.

The issues usually mentioned as relating to an unlawful (or anti-contractual) use of social

networking in the employment relationship are decrease in productivity, exposure to liability, breach of confidentiality and adverse publicity for the employer.

Areas that also require attention are the protection of privacy, social networking etiquette, protection of brands, logos and trademarks, human resources management, ownership of means used for social networking, filtering and trade unions rights.