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EMPLOYER'S RIGHTS REGARDING EMPLOYEE'S PERSONAL SOCIAL MEDIA USE

– Case Ravintola Santa Fé Oy

BACHELOR'S THESIS | ABSTRACT

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Social media nowadays is a part of most people's everyday life. It is also more and more important part of company's and brand's existence and their appearance, according to many researches. Social media has the reputation of being the wonderful place where customers and companies can be in constant interaction with each other. Now that the social media has become a place where it is easy to share thoughts, opinions, joys and grieves, it is forgotten that possibly your post can be shared all over the world in a matter of such little time. Sometimes the posts are not thought thoroughly and people do not think further of the possible consequences that may follow. Researches show that most of the people believe their friends and family's opinion. Them being negative, it can damage the company's and their brand's image.

Now lets think that the post that you just posted was about your employer. Did you think how much your post could possibly hurt the image and reputation of your employer, probably not? This is one of the reasons why this thesis focuses on employer's rights regarding employee's personal social media use. Does the employer have any rights to protect their company's or brand's reputation before it can possibly be tarnished by one employee's thoughtless outburst? Also the importance of social media guidelines is researched and how the employees of Ravintola Santa Fé Oy are perceiving social media use in the company.

This thesis is executed in co-operation with Ravintola Santa Fé Oy and this research was conducted, as the company did not have any regulations regarding employees' social media use. Nowadays when social media plays such a big part of most peoples lives, it was time to create social media guidelines to prevent possible social media crisis from happening.

KEYWORDS:

Social media, Social media guidelines, Employer's rights, Employee's rights, Freedom of speech, Negative social media posts, Employee advocacy

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TYÖNANTAJAN OIKEUDET KOSKIEN TYÖNTEKIJÄN HENKILÖKOHTAISEN SOSIAALISEN MEDIAN KÄYTTÖÄ

Nykyään sosiaalinen media on osa useamman ihmisen jokapäiväistä elämää. Se on myös kasvavassa määrin tärkeä osa yritysten ja brändien olemassaoloa ja olemusta monien tutkimusten mukaan. Sosiaalisella medialla on maine olemalla loistava paikka jossa yritykset ja asiakkaat voivat olla jatkuvassa vuorovaikutuksessa keskenään. Nyt kun sosiaalinen media on paikka, jossa on helppoa jakaa ajatuksia, mielipiteitä, sekä ilot että surut, on unohdettu, että mahdollisesti juuri sinun postaus voidaan jakaa ympäri maailmaa ihan hetkessä. Joskus postauksien sisältö ei ole mietitty loppuun asti ja ihmiset eivät ajattele mahdollisia seuraamuksia mitä niistä voi aiheutua. Tutkimukset osoittavat, että suurin osa ihmisistä uskovat ystäviensä ja perheidensä mielipiteisiin. Niiden ollessa negatiivisia, myös yrityksen ja brändien mielikuva voi vaurioitua.

Ajatellaan, että sinun juuri jakamasi postaus oli sinun työnantajastasi. Mietitkö kuinka paljon postauksesi voi vahingoittaa työnantajasi mainetta, luultavasti et. Tämä on yksi syy miksi tämä opinnäytetyö keskittyy työnantajan oikeuksiin koskien työntekijän henkilökohtaisen median käyttöä. Onko työnantajalla minkäänlaisia oikeuksia suojella yrityksensä tai brändinsä mainetta, ennen kuin se voidaan tahrita yhden työntekijän ajattelemattomuuden takia? Myös sosiaalisen median ohjeistuksen tärkeyttä tutkitaan, ja kysytään millä tavoin Ravintola Santa Fé:n työntekijät kokevat sosiaalisen median käytön yrityksessä.

Tämä opinnäytetyö on tehty yhteistyössä Ravintola Santa Fé Oy:n kanssa, ja tämä tutkimus toteutettiin siksi, koska ennen tätä, yrityksellä ei ollut minkäänlaisia sääntöjä työntekijöiden sosiaalisen median käytölle. Nykyään sosiaalinen media on suuri osa ihmisten elämää, ja nyt oli aika laatia sosiaalisen median pelisäännöt, jotta suurimmilta sosiaalisen median kriiseiltä pystytään välttymään.

ASIASANAT:

Sosiaalinen media , Sosiaalisen median pelisäännöt, Työnantajan oikeudet, Työntekijän oikeudet, Sananvapaus, Negatiiviset sosiaalisen median postaukset, Työntekijälähettäilyys

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1 INTRODUCTION

This thesis examines employer's rights regarding employees' posts about the company in their personal social media accounts. The goal is to have social media guidelines and rules for future and existing employees working in Ravintola Santa Fé Oy. Leino (2010, 324) says that whether you are an employee, owner or anyone who uses social media, you are always representing your employer and everyone should understand that fact. However, every person has the right to freedom of speech. "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." (United Nations, The Universal Declaration of Human Rights, Article 19.) In Finland, freedom of expression is safeguarded by the Constitution and Finland has also signed the European Convention for the Protection of Human Rights and Fundamental Freedoms. Together with the rights of assembly and association, freedom expression is a mainstay of society (Suomen Journalistiliitto, 2014).

According to Lovering, (no date) it is almost impossible to prevent employees from speaking about companies or to monitor their social media posts without their permission. Sometimes even positive and well-meaning posts can damage the company's reputation. McGraw (2015) says, "-that 50 percent of employees post about their employers on social media." 16 percent has shared something negative about their employer and one third of employees post about their employer on their own, not on their employer's request. (McGraw, 2015)

There have been many conversations and researches about should employers provide guidelines to employees and that way guide their use of social media. Most of the answers to that question are yes. PR Cloud and Mediaviikko.fi conducted a questionnaire in 2015 on how people working in public relations think about social media use, and are companies in charge of social media communications. There were 87 public relations experts from different sized companies and also from different types of organizations from private to public organizations. According to the questionnaire many organizations already have guidelines for employees. In the public sector even 72 percent of all respondents have social media guidelines and when examining all

companies that answered, 55 percent of companies has some kind of social media guidelines, either written or oral. (PR Cloud, 2015)

There are various social media guidelines and rules found for companies to use. This thesis focuses on needs of Ravintola Santa Fé Oy and which are the most appropriate social media guidelines for their company. There have not been any negative posts on social media by employees of the case company. However, the company wants to preempt any negative posts and come up with social media guidelines to prevent that of happening.

1.1 Motivation

The case company Ravintola Santa Fé Oy is one of our family's companies, which includes six restaurants, and is part of larger group of companies, which are also owned by my father. As of second generation and Concept Manager it has been my task to start focusing on social media use in our group of companies. Ravintola Santa Fé Oy is going to be a pilot, and after this the other companies will have their own social media guidelines made to fit their company culture and industry. Ravintola Santa Fé Oy has numerous social media accounts in different social media platforms and restaurant managers and employees manage most of them.

It became clear that we do not have any social media guidelines for employees and I started researching about the topic and how important this would be for us as an employer. In our social media guidelines I would like to especially focus on what employees can post about our companies on their own personal social media accounts, on top of posting in our companies' social media accounts.

In this thesis I am focusing only on Ravintola Santa Fé Oy, but as I mentioned before we have many other companies and they are also lacking of social media guidelines. After this thesis is completed it is easier for us to modify these rules for other companies as well. The use of social media is rising all the time (Valtari, 2015) and that is why I feel that it is important as an employer to start focusing on employees' social media use and be aware on how it may affect our companies.

1.2 The objective of the thesis and research questions

The objective of this thesis is to examine what are the employer's rights and obligations regarding employees' posts on their personal social media accounts. To which extent the law is on both employer's and employee's side, and is it possible to manage what employees post on their personal social media accounts about their employer. Based on research findings the goal is to create social media guidelines for Ravintola Santa Fé Oy's employees.

Research questions are as follows:

1. Are social media guidelines important?
2. How negative posts on social media of the employer impact the company?
3. Can employer manage what employees post on their personal social media accounts about the company?

1.3 The structure of the thesis

Second chapter of this thesis introduces the concept of social media and explains why social media guidelines are important. In Finland it has been much more rare to have social media scandals, where ones company has been affected also. Two examples will be introduced where employees own personal social media behavior has lead to dissolving the contract of employment. In addition laws for both employers and employees will be researched regarding employees right to post something negative of their employer, and also employers rights to prevent that from happening. Also employees social media use during work hours will be examined, as well as negative social media posts' impact on company's image. The concept of employee advocacy will also be introduced, as it is today's trend, and could possibly be implemented in the case company later on.

Ravintola Santa Fé Oy, their company culture and values are presented in the third chapter. Part of their guidelines are also presented, or as they call them, ground rules. These are part of Ravintola Santa Fé Oy's job orientation material and have been chosen to be included in this thesis, because the social media guidelines will also be part of this orientation material in the future, and will be created in the same manner as their ground rules.

The fourth and fifth chapters introduce the research methodology and research analysis. In the methodology chapter implementation of the research will be presented, as well as, how the data was collected and who were the chosen respondents and why. The research analysis chapter concentrates on the research itself. The sixth chapter presents social media guidelines for the employees of Ravintola Santa Fé Oy. The social media guidelines will be introduced both, in English and in Finnish. In the last chapter suggestions for further examination will be introduced.

2 LITERATURE REVIEW

Social media as a term is widely known, and in Finland only 7,3% of ages 15-55, has not used any social media platform in the past three months according to Koret & Lähdevuori (2015, 3, 26) in their report Suomalaisten sosiaalisen median käyttö 2015. Still it is not always thought how negative posts of the employer might affect the company's image or reputation. Does the employer have any rights regarding employee's personal social media use? Laws for both employers and employees will be researched regarding employees right to post something negative of their employer on their own personal social media account, and also employers rights to prevent that from happening.

2.1 Concept of Social Media

When searching definitions, one can find many different definitions for social media, but one aspect is mentioned in almost all of them. According to Korteso & Patjas (2011, 38), the most important aspect of social media is interaction, and people's willingness to network. What Korteso & Patjas are describing is also known as Web 2.0. Guy Clapperton (2009, xxiv) says that Web 2.0 differs from older version of Web in the way that people are participating on the Internet and not just passively absorbing information and it is not just based on one-way communication.

Social networks are part of Web 2.0, and Clapperton (2009, xxvi) defines as follows

"A social network is an internet-based tool that allows the reader to engage with the writer or with a community online and in public."

Web 2.0 is also mentioned when examining social media from technical point of view. Kaplan & Haenlein (2010), defines social media from technical point of view as

"-a group of Internet based applications that builds on the ideological and technological foundations of Web 2.0, and it allows the creation and exchange of user generated content." (Khanlari, 2015, 158).

As of September 2016, these were the leading social networks based on number of active user accounts: (Statista, 2016).

- | | |
|---|------------------------------|
| 1. Facebook: 1,712,000,000 | 8. Instagram: 500,000,000 |
| 2. WhatsApp: 1,000,000,000 | 9. Twitter: 313,000,000 |
| 3. Facebook Messenger:
1,000,000,000 | 10. Baidu Tieba: 300,000,000 |
| 4. QQ: 899,000,000 | 11. Skype: 300,000,000 |
| 5. WeChat: 806,000,000 | 12. Sina Weibo: 282,000,000 |
| 6. QZone: 652,000,000 | 13. Viber: 249,000,000 |
| 7. Tumblr: 555,000,000 | 14. Line: 218,000,000 |
| | 15. Snapchat: 200,000,000 |

The Conversation Prism by Solis and JESS3 (2008) demonstrates firstly the magnitude of different social media platforms, even though it only shows examples in every category. The Conversation Prism, Picture 1, (Solis & JESS3, 2008) also presents different stages on how it can be used in business for advancing strategies and intentions in every stage. This is not only for business but also for every social media user to create and gain value of particular social media platforms.

According to Leino (2010, 288) social media consists of three elements: transparency, honesty and sharing. Leino suggests that these elements should also be companies' policies in social media. Leino (2010) and Solis (2008) are both agreeing as the next halo in the Conversation Prism suggests considering vision, purpose, value, commitment and transparency for meaningful engagement. When companies uses social media, the third halo presents and reminds, that engaging in social media it affects every area in the company. The affects vary from customers to employees and everything in between. For example, they can be sales, human resources, brand, service and marketing. Fourth halo displays three important aspects – listening, adapting and learning, meaning that by listening the company will learn and that way improve. (Solis & JESS3, 2008). These examples can be linked to Ravintola Santa Fé Oy's customer reviews, for example. If the company takes notice on the reviews they can adapt, learn and maybe make changes in order to be better at servicing the customers, and taking their needs into account. Also by reacting to customer reviews the company may change the possible negative comments and reviews into positive by taken them into account. That also shows that the company is honest and transparent, which are some of the elements of social media according to Leino (2010, 288).



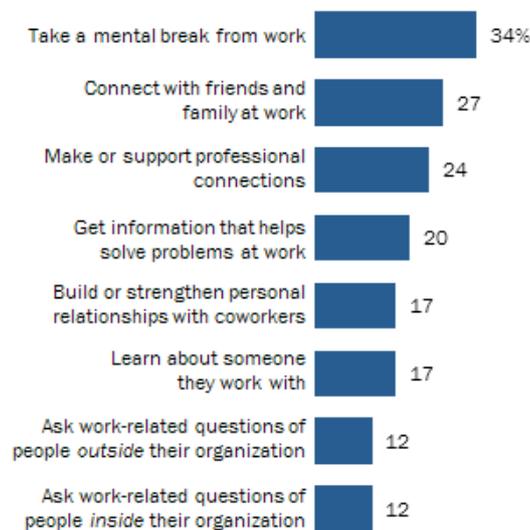
Picture 1 The Conversation Prism (Solis & JESS3, 2008)

In Harto Pönkä's article (Pönkä, 2015) he has analyzed a survey, Polaris Nordic Digital Music Survey 2015, executed by YouGov, Teosto, Tono and Koda. According to Pönkä's article different social media platforms usage in Finland is increasing all the time. In year 2015 most used social media platforms in Finland (ages 12-65) were Facebook (68 %), YouTube (Reuters: over 18 year old, 65 %), WhatsApp (52 %), Google+ (26 %), Instagram (23 %), Twitter (18 %), LinkedIn (13 %), Pinterest (10 %), and Snapchat (8 %). According to Juuli Kotiranta-Hautamäki (2015) the most favored social media platforms in Finnish companies are Facebook, Twitter, LinkedIn and Instagram.

2.2 Employees' social media use during work hours

Olmstead et al. (2014) explains the findings of a Pew Research Center survey conducted in the United States among 2 003 participants in 2014, in their article of Social Media and the Workplace. Social media has become nowadays part of many employees' job description. Many employees update their company's social media accounts and some employers worry that the employees might use social media also for non-work purposes while working. Some social media use is fully work related, when on the other hand, other use is more personal. The survey asked of eight different ways employees use social media while working and the answers are shown in Figure 1 below.

% of workers who ever use social media platforms to ...



Source: Survey conducted Sept. 11-21, 2014.
"Social Media and the Workplace."

PEW RESEARCH CENTER

Figure 1 Employees use of social media while working (Pew Research Center, 2014)

34 % of respondents say that they log into social media to take a mental break from work. As seen on Figure 1, around 20 % uses social media while working on actual work related issues, like getting information to help solve problems at work, or support professional connections. 27 % connects with friends and family at work and 12 % asks work related questions of people both inside and outside of their organization. 17 % of respondents say to learn about someone they work with and build or strengthen

personal relationships with coworkers. In the article Olmstead et al. tells that, the 17 % of respondents who says of using social media in order to build or strengthen personal relationships with co-workers, have noticed that because of social media's transparency, actually 14 % have found information of co-workers that has improved their professional opinion about their co-worker. But then 16 % says that they have found content of their co-workers on social media that has lowered their professional opinion about that person.

According to Stacy Rapacon (2016), even though employees use social media for personal use at work, it may be more damaging if the employees are denied of using social media all together. It would be better to limit the use and to have clear guidelines about social media use while working. In Rapacon's (2016) article it is mentioned that employees spend one hour on social media during their work day for non-work purposes, and millennials around 1,8 hours.

2.3 Negative social media posts' impact on company image

According to Lovering, (no date) sometimes even positive and well-meaning posts can damage the company's reputation. McGraw (2015) said that, around 16 percent of employees had shared something negative about their employer and one third of employees posted about their employer on their own, not on their employer's request. Knowing that those employees posts are negative and over 90 percent of people trust their friend's and family's recommendations, the potential damage could be very harmful to the company's image. Brand advertising is great and needed but 70% of people trust online reviews, rather than brand advertising. Also according to Suvashree Bhattacharya, (no date) negative customer reviews are damaging to company's image and each negative comment has consequences on the company. The brand will suffer if it gets many negative comments or feedbacks.

Scott Stratten (Stratten, 2012, pp. 45-46) states that, the company should always be part of the conversation if people are talking about your brand. Also the saying "Any publicity is good publicity" is not always true. If you can turn negative feedback and posts to positive, it may lead to a positive outcome. If the company does not even try to change the negative feedback into positive, it will remain negative. According to Isokangas & Vassinen (2010, pp.145-146), people are very eager to write in social media about badly functioning products or bad customer service. These usually turn

into conversations and it is important for the company to know about these conversations, and try to manage them so that the image does not suffer. They advice on regularly checking conversations that are going on of the company, and also participating in them if needed.

2.4 Employee advocacy

Social Media Analyst Ben Donkor (no date) defines employee advocacy as follows: “Employee advocacy is a term used to describe the exposure that employees generate for brands using their own online assets.” Donkor (no date) continues, that these online assets include for example, forums, email, discussion boards and chats. Even though social media is still often the main medium. Smarp (no date) simplifies that employee advocacy in Internet is actually today’s digital time’s mouth-to-mouth marketing. Donkor explains, that the biggest marketing asset that company and the brand can have, are actually its own employees. While most companies are maybe on just few different social media platforms, your employees probably are on multiple different social media platforms, and that way have wider reach than your company or brand might have. Smarp (no date) mentions, that more and more employers understand the potential that employees have on their own social media platforms. And companies are giving employees more freedom to start conversations about the company and its brand, rather than forbidding it.

SomeWorks (no date) explains, that the visibility generated by employee advocacy can spread and be more effective than company’s own paid marketing in social media. This is because employee’s own opinions and experiences are considered trust worthier, than companies own word. That is why employees should be encouraged to be honest and real when communicating to public. Donkor (no date) reminds, that company also has to have transparent culture on freedom and trust. Employers need to trust employees’ judgment, because that generates genuine conversations. It is still important to have some guidelines, but not too repressive, so that employee advocacy can still work.

Donkor (no date) points out the importance of considering what is the content that the employer wants the employee to share. The content needs to support the brand, be share-worthy, and have value to the employee and also to their network. If the

employee do not think that the content the employer wants them to share to their network is relevant, the likelihood of them sharing the content is very small.

2.5 Importance of Social Media Guidelines

According to Viestintä-Piritta (2016), perhaps the most important aspect of social media guidelines is the prevention of social media crisis. Crisis can arise either from inside or outside of the company and it is extremely important to be prepared. Well-composed guidelines are part of company's risk management. The social media guidelines serve as guidelines also besides Employment Contracts Act when needed. (Viestintä-Piritta, 2016).

According to Sosiaalisen median ABC (2012), employee rarely intentionally wants to harm the employer but does not think it through, especially if one experiences being treated unfairly for some reason. Employee's duty of loyalty towards employer may not be familiar concept, and that is why it would be advisable to attach social media guidelines as an attachment to contract of employment or to possible orientation material. Explicit guidelines protects both employer's and employee's interests, and will reduce risks that are associated with social media use.

In the worst case of scenario for employee, one may lose their job by posting critique or other negative content of their employer. In social media the employee always acts as a representative of his or hers employer and at the same time creates public image of the employer. Sometimes it may be unclear if the employee's opinion represents his or her own opinion as a private person, or as a representative of the employer. Several people inform their employer in social media, and that is why one may think that you automatically also represent your employer's values. (Sosiaalisen median ABC, 2012)

For employer social media guidelines provides safety. Possible disagreements and conflicts can be prevented with well-composed guidelines. In case of dispute between employer and employee, the employer is in better position if proven that the employee was aware of the guidelines. Reconciliation in disagreements between the two parties is also much easier when shown the breach of guidelines. Inappropriate behavior is easier to justify when the employee has been informed and instructed properly. When thinking of giving a formal warning or possibly dissolving the contract of employment,

the social media guidelines can act as basis of justification of doing that. (Sosiaalisen median ABC, 2012)

Social media changes and evolves all the time, therefore it is important to update the social media guidelines as well, and also inform employees about the changes. Thus employer can be safeguarded in possible disagreements. (Sosiaalisen median ABC, 2012).

2.5.1 Case Aleksi Valavuori and Case #hesegate

Two examples are demonstrated of how employees' social media posts on their own personal social media accounts led to dissolving their contract of employment. There have been similar cases around the world but these are the first cases in this magnitude in Finland.

Case Aleksi Valavuori

Aleksi Valavuori was formerly a General Manager of Espoo United's basketball team. Valavuori got fired because of posting tweets on his personal Twitter account that are seen in the Picture 2 below. His employer Espoo United did not accept his personal thoughts, and because he insinuated that not hiring homosexual people was also Espoo United's opinion about hiring, they had grounds to dissolve his contract of employment. Because of these tweets Valavuori also got a temporary suspension from Suomen Koripalloliitto. (Helsingin Sanomat, 2016)



Picture 2 Alekski Valavuori's tweets (Radio Nova, 2016)

Alekski Valavuori's tweet is also contrary on Finnish Law, which states that one's sexual orientation cannot be the basis of not hiring someone.

"The employer shall not exercise any unjustified discrimination against employees on the basis of age, health, disability, national or ethnic origin, nationality, sexual orientation, language, religion, opinion, belief, family ties, trade union activity, political activity or any other comparable circumstance. Provisions on the prohibition of discrimination based on gender are laid down in the Act on Equality between Women and Men (609/1986). The definition of discrimination, prohibition on sanctions and burden of proof in cases concerning discrimination are laid down in the Non-Discrimination Act (21/2004)." In addition "The employer must observe the prohibition of discrimination laid down in subsection 1 also when recruiting employees." (Employment Contracts Act).

Case #hesegate

Another example of dissolving the contract of employment is from Hesburger's employee after posting a tweet on his own personal Twitter account. The employee had tweeted (Picture 3) that "20 minutes before closing time, a customer enters and is wearing a "Make America Great Again" cap. I would have liked to spit in customer's hamburger". This "Make America Great Again" was just recently president-elect Donald Trump's slogan in the United States' presidential election. Hesburger later stated in their Twitter account that they do not accept any kind of threatening. All customers are welcome. And that they will intervene in the case strictly. (Iltalehti, 2016)



Picture 3 Hesburger employee's tweet (Rautiainen, 2016)

Hesburger later announced that they had collectively decided with the employee to dissolve his contract of employment. Both, Professor of Labour Law Seppo Koskinen and Service Union United PAM's labour law attorneys' superior Arja Pohjola stated that firing the employee was not the right solution. The employee did not actually spit in the hamburger, only threatened to do that. Both experts agree that the right solution would have been giving the employee a formal warning. (Iltalehti, 2016)

Service Union United PAM's labour law attorneys' superior Arja Pohjola says that European Court of Human Rights protects voicing your opinion in social media. Only by voicing your opinion it does not fulfill the terms of dissolving the contract of employment. Professor of Labour Law Seppo Koskinen also says that these types of Twitter cases are still difficult because there is no existing legal praxis. (Iltalehti, 2016). Lawyer Jussi Kari (2016) addresses that in fact the employee in question was not using his own name or picture in his Twitter profile, nor had written anywhere in his profile that he is Hesburger's employee. A third party had made the connection of this tweet and his place of work. Finns Party Youth's leader Sebastian Tynkkynen shared the employee's name and picture on his own Facebook page. After this the #hesegate

exploded and spread. Kari (2016) explains that it does not matter even though third party made the connection between the employee and his employer. He says that once it has become public knowledge you cannot do anything about it. Kari agrees with Arja Pohjola and Seppo Koskinen, that dissolving the contract of employment was not the right decision, and formal warning would have been the right choice in this matter. (Jussi Karin blogi, 2016).

2.6 Laws and Freedom of Speech

Finland is ranked as the best country out of 180 countries in the 2016 ranking of press and speech freedom according to Reporters Without Borders for Freedom of Information. Finland has been ranked first for the past five years. "Freedom of expression and information is the first and most important of freedoms," states Reporters Without Borders (no date). However, everyone in Finland having the freedom of expression, is everything that is for example posted on social media justified and safeguarded by law? Especially when focusing on employees' right to post negatively about their employer.

2.6.1 Freedom of speech

Three different fundamental rights and human rights have safeguarded freedom of speech in Finland. "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." (United Nations, The Universal Declaration of Human Rights, Article 19.). In Finland, freedom of expression is safeguarded by the Constitution and Finland has also signed the European Convention for the Protection of Human Rights and Fundamental Freedoms. Together with the rights of assembly and association, freedom of expression is a mainstay of society (Suomen Journalistiliitto).

Freedom of speech has been meant to safeguard the right to form and voice your opinion freely, and also to protect public discussion. As seen above, freedom of speech in Finland is also safeguarded by the Constitution, but it is furthermore worldwide human right. (Neuvonen, 2005, 11). Finland ratified the European Convention for the Protection of Human Right in 1990 (Pellonpää, 2000, 56). Article 10 legislates freedom

of speech and it includes two chapters. First chapter contains the provisions of the right itself and the second chapter the provisions of the grounds on the basis of which freedom of expression can be limited (Pellonpää, 2000, 412). Article 10 is as follows:

"1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary." (European Convention on Human Rights).

2.6.2 Employer's and employee's rights

Employee has obligations towards employer and those include for example duty of loyalty. Because of freedom of speech, employer does not have complete justice to restrict employee's communication in social media. Duty of loyalty has been legislated in Employment Contracts Act and it says that employee has general duty of loyalty towards their employer. Employee must avoid any actions, which are in contradiction with their position. The obligation is relevant already when entering a contract, and it is effective to some extent to the employee's leisure time. Employee may not for example damage employer's business during their leisure time activities. (Työsopimuslaki, 26). According to this act, employee cannot speak or write whatever about their employer. Particularly when speaking or mentioning the employer in negative context in social media, it breaches the duty of loyalty. Lawyer Jussi Kari reminds employees to always think when you are using social media, and to think that would it be in any case possible anyone to link you to your employer. (Jussi Karin blogi, 2016)

Addition to duty of loyalty, section 4 in Employment Contracts Act legislates business and trade secrets. "During the term of employment, the employee may neither utilize

nor divulge to third parties the employer's trade or business secrets. If the employee has obtained such information unlawfully, the prohibition continues after termination of the employment relationship. Liability for any loss incurred by the employer is extended not only to the employee divulging confidential information but also to the recipient of this information, if the latter knew or should have known that the employee had acted unlawfully." (Employment Contracts Act).

To summarize, the use of social media is rising all the time, and employees use social media during their work hours. Some of the use is not work related which makes it not very work efficient and it would be advisable for employers to come up with social media guidelines. (Rapacon, 2016). The importance of social media guidelines is evident, not just for employees use of social media during work hours, but to prevent social media crisis from happening (Viestintä-Piritta, 2016). When planning the social media guidelines, employer must be aware of laws and regulations. Freedom of speech is everyone's right, and employer does not have complete justice to restrict employee's communication in social media. (Suomen Journalistiliitto). Also the negative social media posts are damaging to companies and their brands, and that is why it is important to be part of the conversations (Stratten, 2012, pp. 45-46). In the next chapter the case company's values and company culture will be presented, which will be used as a base for planning their social media guidelines.

3 VALUES AND COMPANY CULTURE OF RAVINTOLA SANTA FÉ OY

Ravintola Santa Fé Oy is collectively known as Rafla.fi restaurants (www.rafla.fi). The company is a private restaurant company with six restaurants: Amigo, Santa Fé, Grande Grill, MorriSon's Helsinki, MorriSon's Turku and Pizzeria & Spagetteria MorriSon's. Five restaurants are located in Helsinki and one in Turku. During the summer, on the Santa Fe terrace there is a choice of menus from three restaurants and four different kitchens. On summer live bands guarantee evenings entertainment.

Ravintola Santa Fé Oy has a seating capacity of 873, and including summer terraces a total of 1105 seats. They employ around 90-120 people depending on the season. Turnover in 2015 was just over 10 million euros.

Rafla.fi restaurants are known for their relaxed atmosphere and large portions that are made out of high-quality ingredients. They are a brave family run business, where guests are served whole-heartedly, with professional skills and with a flexible anything goes attitude.

Ravintola Santa Fé Oy is part of Active People Corporation. The corporation is owned by Henri Klimscheffskij. Other companies that he owns are Helsingin Cityburger, Active People Oy, Smart Idea, Healthfactory and Qem Software.

Helsingin Cityburger has cafes and ice cream parlors: Cafe Faster, Cafe Boulevard, Robert's Coffee Jumbo and three Spice Ice kiosks.

3.1 Company Culture and Values

Company culture of Ravintola Santa Fé Oy has been built and developed over the years, and it is the heart and soul of the business. Their company culture is based on customer's and staff's appreciation, kindness and honesty. They value great customer service, positive attitude, efficiency, initiativeness and adaptive working. Through flexible working and low organizational structure, they are able to react quickly to the

changing challenges of the operating environment. (Ravintola Santa Fé Oy's job orientation material, 2016)

3.2 Ground Rules

- Help others when you are not in a hurry yourself. Remember that everyone does everything, so help others when needed.
- Ask help when you need it.
- Work is versatile: Sometimes it is busy, sometimes not. When it is not busy, always do something: clean, arrange, help others etc.
- Ask when you don't know.
- Respect customers and colleagues with kind behavior and clean appearance.
- We all have different personalities and with collaboration we succeed.
- Take care of yourself and remember to rest.
- It is not always a good day, but it can't be visible or be heard.
- You have right to have a proper introduction of work.

(Ravintola Santa Fé Oy's job orientation material, 2016)

4 RESEARCH METHODOLOGY

The main focus of this thesis is to examine employer's rights regarding employees' posts about the company in their personal social media accounts. But the other main focus for this research is to find out the current situation amongst employees personal social media use and behavior while working in the case company. It is obvious that the employer wants to protect their brand and company's image. Yet it is hard for the employer to know everything about employees' social media use, and what they think about it. In addition it is important to gather information, for example, which are the most used social media platforms and what kind of content are the employees creating and posting during work and their leisure time. Further, when creating social media guidelines for the case company, which are the main things that need to be taking into consideration.

This research was designed to answer these following questions:

1. Are social media guidelines important?
2. How negative posts on social media of the employer impact the company?
3. Can employer manage what employees post on their personal social media accounts about the company?

The mixed method was applied in this thesis, because both quantitative and qualitative questions were asked and analyzed (Saunders, et al., 2012, 164). Many of the quantitative answers were followed with open-ended questions. These qualitative answers provided more profound answers for the quantitative questions that were first asked. Many of the quantitative questions would have been incomplete without open-ended questions.

The data was gathered with an online questionnaire (Appendix 1) that was sent via email to each restaurant manager, some restaurant manager assistants, chefs and few regular employees. The Restaurant Operation Director of Ravintola Santa Fé Oy first approved the questionnaire before passing it forward to the participants. The questionnaire was answered anonymously to get more honest answers to the questions. It was first thought to hand out the questionnaire to all of the employees, but it would have been time consuming and hard to reach everyone. In that case the

questionnaire should have been done in two languages, because everyone does not speak Finnish, and also everyone does not have or have not provided their email address to the employer. Some of the employees are also employed through staff leasing company but work for the case company frequently. It was also known that the response rate to an online questionnaire amongst regular employees was very poor from past experience.

4.1 Sampling

The target group for this research was known, and it consisted total of 15 restaurant managers, restaurant manager assistants and chefs (who are at managerial level and responsible of the employees in the kitchen), and are responsible of their restaurant unit's social media. Some restaurant's managers did not use social media at all, so they had decided amongst themselves who would be responsible of that restaurant's social media. That is why in some restaurant's chef or employee can be the responsible one and not the restaurant manager.

The target group was easily manageable, because of the size of the group and also as managers they frequently visit the office, and I was able to tell them about the questionnaire beforehand. I was expecting high response rate since I was able to communicate face to face about the questionnaire and personally asked them to fill it out. The questionnaire was sent to selected employees' email and they could answer it while they were not working in a busy restaurant, but instead doing their office work.

The active response rate can be calculated by first reducing ineligible and unreachable from the total number of sample. And then dividing the total number of responses with the difference (Saunders, et al., 2012, 268).

The actual sample of the research was 15 and the number of responses was 14, therefore the active response rate was 93,33 %.

4.2 Reliability, validity and generalization

In order to increase reliability the questionnaire was filled anonymously, like mentioned before. Because I, as the case company's owner's daughter was conducting the

research, I thought, I would get more honest answers if the questionnaire was done anonymously. I cannot be sure of the responses sincerity because the respondents knew who the researcher was. Some of the responses could be bias and not completely true. If someone else would have conducted the questionnaire, the results could have been possibly appeared different.

In order to increase the validity and reliability of this research, the questions were chosen, modified and then approved by the Restaurant Operation Director of Ravintola Santa Fé Oy. The questions were chosen to answer Ravintola Santa Fé Oy's need to have more profound information of employee's use of social media, and furthermore answer the research questions. Two people then read all the questions of the questionnaire, and jointly agreed that they were understandable. One person also tested online questionnaire before forwarding it, to make sure it worked properly.

The respondents were all employees of Ravintola Santa Fé Oy, and most of them work at same managerial level, either as restaurant manager or as chef. Three of the respondents were regular employees. They all have responsibilities of updating the case company's social media accounts. The respondents represent different age groups, different levels of responsibility, and the amount of social media use differs among them. Therefore the answers provided a general picture of employees who are responsible of using company's social media. Managers are also responsible of all employees' use of social media during work time. Still this research does not generally represent all Ravintola Santa Fé Oy's employees. This research was the first step toward developing the social media guidelines for Ravintola Santa Fé Oy, and this thesis' research will help to get started and then later on it will be developed and updated.

5 RESEARCH ANALYSIS

The questionnaire was designed to gather information, for example, to gain knowledge what are the most used social media platforms and what kind of content are the employees creating and posting. The questions were chosen, modified and then approved by the Restaurant Operation Director of Ravintola Santa Fé Oy. The questions were chosen to answer the research questions and compare results with the theory (chapter 2).

The questionnaire's link was sent via email to selected employees and it was possible to answer the online questionnaire by computer, phone or tablet. As most of the selected employees answered the questionnaire online, there was no need to get more answers any other way, although paper version of the questionnaire was also made.

The actual sample of the research was 15 Ravintola Santa Fé Oy's employees of whom 14 answered. One did not respond to the questionnaire at all. Because the questionnaire only consisted of 10 questions they will all be analyzed. It was decided that, for example, age and gender are not relevant because all restaurant managers or other appointed employees are responsible of updating and creating content to the case company's social media. The most important aspects were to get information from what type of content are created on social media, what types of social media platforms are used, and are the respondents aware of positive and/or negative content of the employer in social media.

5.1 Social media use amongst employees

All of the respondents (100%) use Facebook, and all but one respondent (93%) uses more than one social media platform. Four respondents use only two social media platforms, Facebook and WhatsApp. The high rate for WhatsApp use can partly be explained by the fact that restaurant managers and chefs are part of different restaurants' WhatsApp discussion groups. Some communication, for example, informing employees of available work shifts are often informed in these groups. The informing most of the time comes from restaurant managers to employees. Top 3 most used social media platforms amongst respondents were Facebook, WhatsApp and Instagram. In year 2015 most used social media platforms in Finland (ages 12-65)

were Facebook (68 %), YouTube (Reuters: over 18 year old, 65 %), WhatsApp (52 %), Google+ (26 %), Instagram (23 %), Twitter (18 %), LinkedIn (13 %), Pinterest (10 %), Snapchat (8 %), states Harto Pönkä (2015). According to Juuli Kotiranta-Hautamäki (2015), the most favored social media platforms in Finnish companies are Facebook, Twitter, LinkedIn and Instagram. (See chapter 2.1). As can be seen, the top social media platforms are quite similar when observing the findings in the theory part and in this thesis' research. The choices of social media platforms given in the questionnaire were based on the survey mentioned earlier.

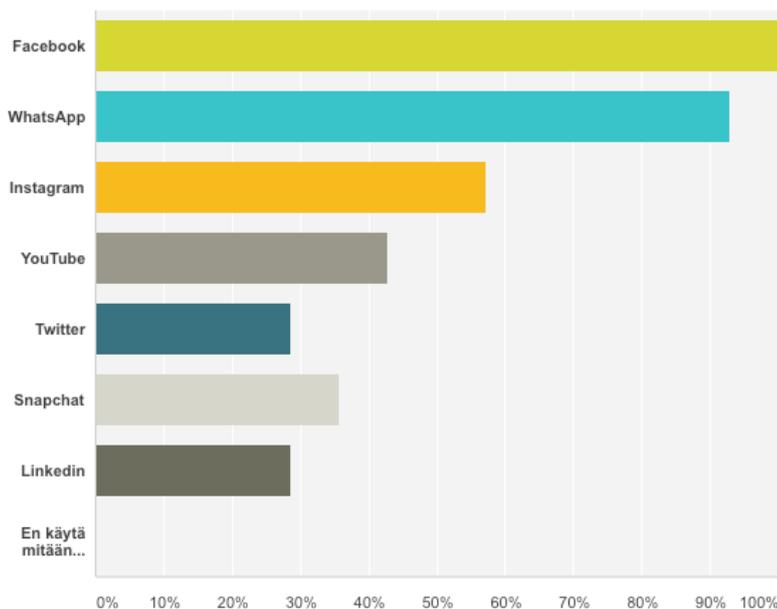


Figure 2 Use of different social media platforms

Over 70 % of all respondents create content on their own personal social media accounts about their employer. And according to the questionnaire half (50 %) of the respondents create content of their co-workers, for example, pictures. 6 out of 14 respondents creates content of both employer and co-workers. McGraw says, “-that 50 percent of employees post about their employers on social media.” One third of employees post about their employer on their own, not on their employer’s request. (McGraw, no date, see chapter 1). Three respondents (21 %) say that they do not post any content of their employer or co-workers on their personal social media accounts. Percentage in the case company is higher, by 20 %, than what McGraw (no date) reports about employees posting of their employer on social media. This can be partly explained by the fact that use of social media is part of the respondents job description.

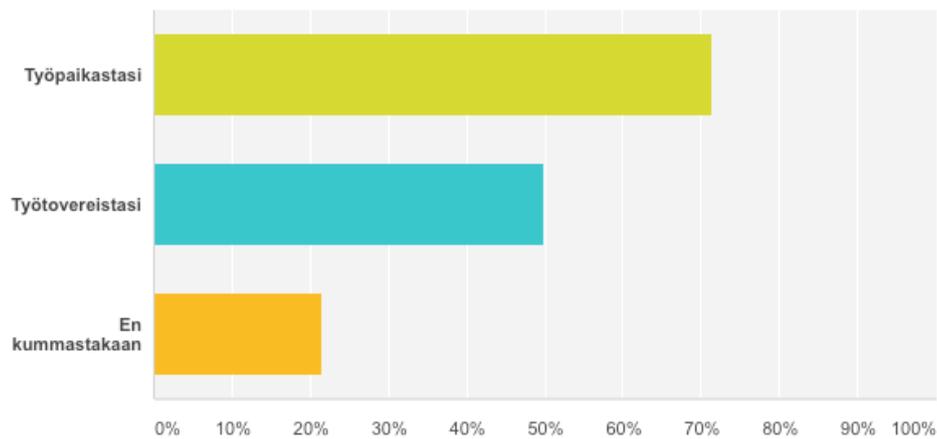


Figure 3 Employees posting of their employer and co-workers on their personal social media accounts

Only one respondent does not follow their employer on social media. Although, majority (93 %) of the respondents follows their employer on social media. 8 out of 14 (57 %) respondents says that they use social media during work hours. And 5 respondents says that they use social media sometimes during work hours, 1 respondent does not use social media at all during work hours. If the respondent answered yes or sometimes, to the question, if they use social media during works hours, they were asked to comment more and to answer follow-up questions. They were then asked, whether they use their own personal social media, company's social media or both, personal and company's social media. All 13 respondents who answered yes or sometimes left a comment. 3 out of 13 says that they use their own personal social media during work hours, and says to be checking new updates, and talking with their family on their personal social media. 6 out of 13 says to using company's social media during work hours. They commented that mostly they update company's social media profiles and answer to customers' feedbacks. 4 out of 13 says that they use both their own personal social media and company's social media during work hours. For managerial level employees the use of social media is part of their job description. That explains why the respondents use social media during work hours. They are not expected to use company's social media outside of work, so that is why they are using it during work hours.

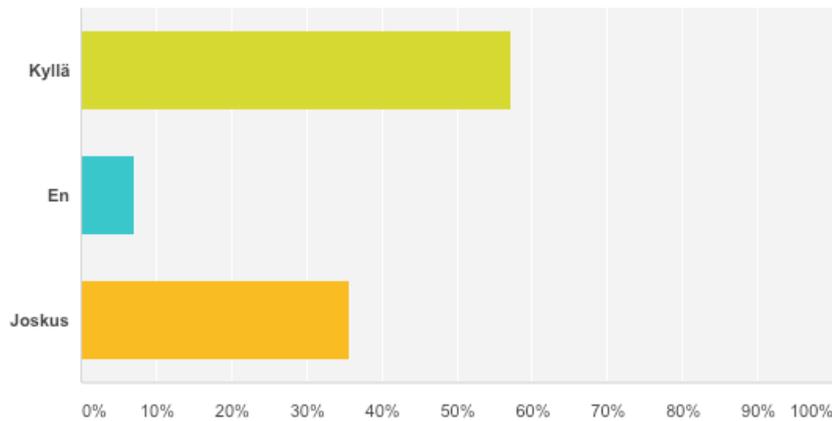


Figure 4 Employees social media use during work hours

According to Stacy Rapacon (2016, see chapter 2.2), employees use social media for personal use at work and they spend one hour on social media during their work day, and millennials around 1,8 hours. Olmstead et al. (2014, see chapter 2.2) tells that, 34 % of respondents say that they log into social media to take a mental break from work. Around 20 % uses social media while working on actual work related issues, like getting information to help solve problems at work, or support professional connections. 27 % connects with friends and family at work. In this thesis' research 50 % of respondents says to be using their personal social media during work hours. 3 out of 13 respondents commented on using social media to connect with their family and friends during work hours, or checking new updates, which is little bit less (23 %) than what Pew Research Center survey says (27 %). This result can be seen as positive, as the percentage is not higher than in the Pew Research Center survey. Still using personal social media during work hours is not work efficient and is not acceptable. Even though sometimes there might be slower periods, it does not mean that they can be used as browsing through personal social media. As it is seen on Ravintola Santa Fé Oy's orientation material's ground rules, during slow times employees should be cleaning, arranging or helping others. It may also be the case that if the employee is using the company's social media, they might easily be switching to their own personal social media accounts.

5.2 Negative and positive posts impact on company's image

Over half (64 %) of the respondents have seen both positive and negative content of their employer on social media. 4 out of 14 respondents says that they have not seen any positive or negative posts of their employer on social media. The respondents were asked to comment more in case they had seen some positive or negative content and tell more about it. 8 out of 9 respondents left comments, and most of them answered that the negative and positive comments are mostly from customers and can be seen in the company's own Facebook page. Therefore most positive and negative content are actually customers' feedback, and not for example written by employees. Two respondents tells that in restaurants' WhatsApp groups, that are only for employees, they sometimes discuss negatively, especially if someone is having a bad day. One respondent also says that, nowadays people tend to write negative feedback easier if something goes wrong, rather than leaving a positive feedback if something goes great, and that it is easier to complain than to praise. That is true according to Isokangas & Vassinen (2010, pp.145-146, see chapter 2.2), people are very eager to write in social media about badly functioning products or bad customer service.

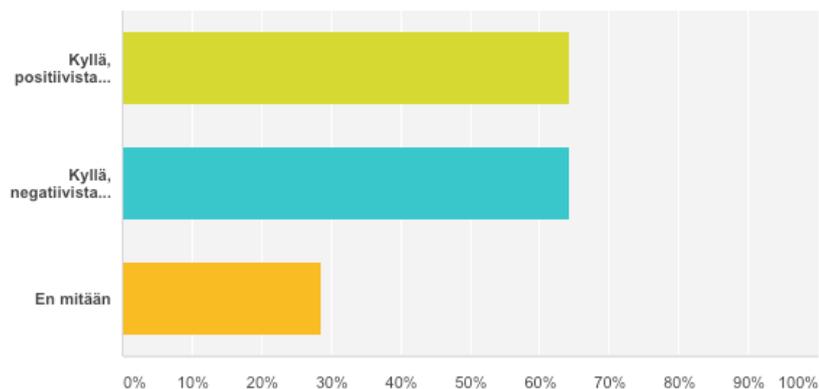


Figure 5 Positive and/or negative observations of the employer on social media

The respondents were asked whether they have posted something positive of their employer on their own personal social media accounts. 93 percent (13 respondents) says that they have, and only one respondent says that they have not posted anything positive of their employer on their personal social media accounts. Same question was

reversed and asked whether they had posted something negative of their employer on their personal social media accounts. The respondents were again given a choice to comment more. Few of the respondents commented that as positive posts they have posted about theme days and events at the restaurants, shared posts from restaurants' profiles to their own timeline and posted many pictures of their work place. Again 13 respondents (93 %) answered that they have not posted anything negative of their employer on social media. One respondent answered that they have, and also left a comment. It said, that they have forwarded some negative feedback from customers to employees, but not have they written and then posted anything negative about the employer. According to Lovering, (no date, see chapter 1) it is almost impossible to prevent employees from speaking about companies or to monitor their social media posts without their permission. As it is seen, employees post about their employer. McGraw (2015, see chapter 1) states that 16 percent has shared something negative about their employer. For the case company the percentage of employees posting something negative of their employer is in fact practically zero according to this questionnaire.

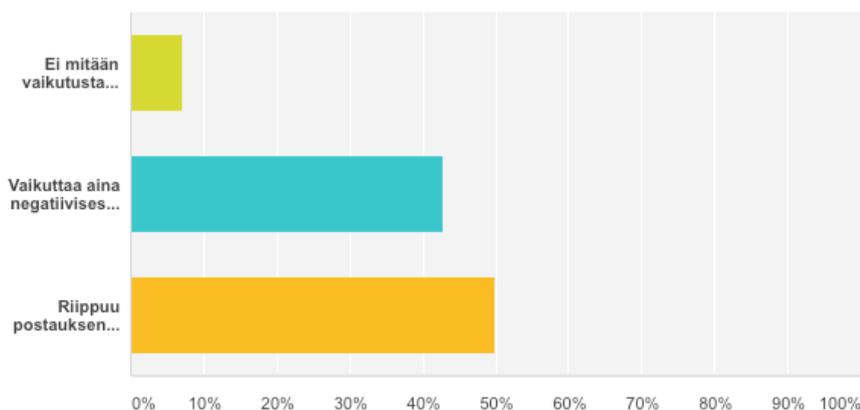


Figure 6 Negative posts impact on company's image

1 out of 14 respondents believe that posting negative content of the employer on social media does not have any negative impact on company's image. 6 out of 14 (43 %) respondents believes that negative posts on social media impact always negatively on company's image. And half (50 %) of all respondents believe that it depends on the content, but it always impacts at least slightly negatively on company's image. Scott Stratten (2012, pp. 45-46, see chapter 2.3) states that, bad publicity of the company will always remain bad, if the company cannot turn it in to positive publicity. The

company should always be part of the conversation if people are talking about your brand. Also according to Suvashree Bhattacharya (no date, see chapter 2.3) negative customer reviews are always damaging to company's image and each negative comment has consequences for your company. The brand will suffer if it gets many negative comments or feedbacks. The fact that majority of the respondents think that negative comments and feedbacks will hurt the company's image supports the theory. I believe that the respondents have noticed the effect on their own personal lives. Whenever a product or company has gotten bad reviews, you tend to believe them. That is why it is important to follow the conversations on the Internet and be aware of possible negative comments.

5.3 Content creation, employee advocacy and importance of social media guidelines

The respondents were asked whether they would be interested in creating and posting content on company's social media accounts. 64 % responded that they would be interested in posting on company's social media accounts. 36 % of respondents said that they would not want to post any content. The respondents were asked again to answer follow-up questions if they answered yes to the previous question. The follow-up questions included: What kind of content? How often? And Why? 10 respondents answered the follow-up questions and most of them said that they already create and post content regularly. One respondent said that they do not want to post anymore than they are posting at the moment, and one said they are forced to because it is part of their job. One respondent said that they believe that the employees who work at the grass roots could bring different point of view to social media about the company, and that they could bring more color to the official posts the company does. 2 out of 10 respondents think them posting on company's social media as forced and negative thing employees has to do. The rest 8 out of 10 keeps this as positive thing. Ben Donkor (no date, see chapter 2.4) explains, that the biggest marketing asset that company and the brand can have, are actually its own employees. Employee advocacy amongst the case company's employees could also work, because most of the respondents already like and want to create and post to company's social media platforms. SomeWorks (no date, see chapter 2.4) explains, that the visibility generated by employee advocacy can spread and be more effective than company's own paid marketing in social media. This is because employee's own opinions and experiences are considered trust worthier, than companies own word. The possible posts from the

grass root level could also be part of a new marketing plan. In my opinion posts that are more relaxed, are usually more effective than posts that are for pure marketing purposes. This also tells me that the respondents have willingness to innovate and execute content for social media.

Last question asked was if the respondents felt necessary to have social media guidelines for all of the employees. Only one of the respondents answered negatively, and the rest 13 out of 14 respondents answered positively. This clearly shows that there is a need and maybe an expectation for social media guidelines. 8 out of 14 respondents also wanted to comment further. Comments said that employees want guidelines, so they know how to act and what their employer expect them to do, and also how to behave on social media. This way all overreactions could be avoided. One respondent commented that they want to know when it is acceptable to use social media during work. And one commented that sometimes employees do not mean to post anything damaging, but do not realize it until it is too late. As mentioned earlier according to Sosiaalisen median ABC (2012, see chapter 2.5), employee rarely intentionally wants to harm the employer but does not think it through, especially if one experiences being treated unfair for some reason. Viestintä-Piritta reminds that, well-composed guidelines are part of company's risk management. The social media guidelines serve as guidelines also besides Employment Contracts Act when needed. (Viestintä-Piritta, 2016, see chapter 2.5). As it can be seen from the respondents responses they want social media guidelines, and since the case company does not have any social media guidelines, they need to be created. This research also answers positively to the first research question, and clearly shows the necessity both from the respondents as well as the theory part.

6 SOCIAL MEDIA GUIDELINES FOR RAVINTOLA SANTA FÉ OY

Social media communication is at its best when the employees of the company do it. The communication between the company and customers is one of the most important things in social media. (Kortesuo & Patjas, 2011, 15)

Social media changes and evolves all the time, therefore it is important to change the social media guidelines as well, and also inform employees about the changes. Thus employer can be safeguarded in possible disagreements. (Sosiaalisen median ABC, 2012).

These social media guidelines will be part of Ravintola Santa Fé Oy's job orientation material and will also be posted visibly for all employees to see, both in Finnish and in English. According to Sosiaalisen Median ABC, employee's duty of loyalty towards employer may not be familiar concept, and that is why it would be advisable to attach social media guidelines as an attachment to contract of employment or to possible orientation material (Sosiaalisen median ABC, 2012).

Social media guidelines will be first presented to restaurant managers, who then are responsible of passing the information on to their own restaurant unit's employees. The guidelines will also be updated regularly or as often as needed. Ravintola Santa Fé Oy's company culture is more relaxed rather than strict, so it is important that these guidelines also represent the company culture.

For employer social media guidelines provides safety. Possible disagreements and conflicts can be prevented with well-composed guidelines. In case of dispute between employer and employee, the employer is in better position if proven that the employee was aware of the guidelines. This also serves the other way around. The most important thing of social media guidelines is the prevention of social media crisis. (Sosiaalisen median ABC, 2012). Also this thesis' research tells that employees themselves want social media guidelines. These are the reasons why Ravintola Santa Fé Oy has decided to create social media guidelines.

In the future these social media guidelines can also be modified for other companies that the corporation owner Henri Klimscheffskij owns. The social media guidelines were

first written by the researcher, and then presented to the management of Ravintola Santa Fé Oy. Together with the management some parts were edited and then accepted. This thesis' theory as well as the questionnaire's responses were together used as the base for creating these social media guidelines. Possible consequences for breaching these guidelines will always be assessed case by case and the extent of the breach will be taken into account.

6.1 Social media guidelines for Ravintola Santa Fé Oy

In English:

- Be polite, honest, open and responsible.
- Remember that you always represent your employer, even in personal social media environment.
- Pause before posting. When in doubt, leave it out.
- If you are mad, make sure you calm down, before posting anything.
- If you make a mistake, remember to apologize and do not cover up. Just tell what happened from your own point of view. If you decide to delete the post, someone may have already shared it or taken a screenshot of it. (Yikes!)
- Personal social media use can't disturb your work, so let's leave that for breaks.
- Employee's Duty of Loyalty, refrain from behaving in a manner that would be contrary to employer's interests.
- And remember; do not share any trade or business secrets. Shh!

In Finnish:

- Ole kohtelias, rehellinen, avoin ja vastuullinen.
- Muista, että edustat aina työntajasi, myös omissa henkilökohtaisissa sosiaalisen median profiileissasi.
- Mieti, ennen kuin julkaiset. Jos epäröit, jätä julkaisematta.
- Jos kiukuttaa, niin laske kymmeneen, ennen kuin päätät julkaista mitään.
- Jos mokaat, niin muista pyytää anteeksi, älä peittele jälkiäsi. Jos päätät poistaa julkaisusi, muista, että se on jo voitu jakaa eteenpäin tai siitä on voitu ottaa kuvakaappaus...O-ou!

- Somettaminen ei saa häiritä töitäsi, jätetään se siis tauolle.
- Työntekijöillä on lojaliteettivelvollisuus, älä siis käytädy tavalla, joka on vastoin työnantajan etuja.
- Ja muista, älä jaa mitään liikesalaisuuksia. Shh!

7 CONCLUSION

7.1 Research findings

The objective of this thesis was to examine Ravintola Santa Fé Oy's employees' current use of social media, and how as an employer Ravintola Santa Fé Oy can possibly manage employees social media use.

The first research question examined if the social media guidelines are important for the company. As seen in the examples, social media guidelines would be good for crisis management. Although Ravintola Santa Fé Oy has not faced any bigger crisis, the results showed that majority (93 %) of respondents want social media guidelines to prevent possible crisis of happening, and to have a clear code of conduct regarding the use of social media. Also some concerns for not knowing exactly how to behave in social media came up. For example, 23 % of respondents used their own personal social media during work hours to communicate with their family or friends, which from the employer point of view is not very work efficient.

The second question explored of how negative posts on social media of the employer impact the company. Again majority of respondents thought that negative posts about the employer on social media will have negative impact on the employer. 43 % of the respondents believed that negative posts on social media impact always negatively on company's image. And half (50 %) of all respondents believe that it depends on the content, but it always impacts at least slightly negatively on company's image. Only one respondent did not think that negative posts had any impact on the company. Most of the employees told that they had seen both positive and negative posts about their employer on social media. The negative and positive comments were mostly from customers and they could be seen in the company's own Facebook page. Therefore most positive and negative content were actually customers' feedback, and not for example written by employees. But as it was discussed in chapter 2.3, negative customer reviews are damaging to company's image and each negative comment has consequences on the company. The brand will suffer if it gets many negative comments or feedbacks.

Third question studied if the employer can manage what employees post on their personal social media accounts about the company. The objective for this question was

to study laws and regulations to find out if this would be even possible. My own research showed that, employee has obligations towards employer and those include for example duty of loyalty. But because of freedom of speech that everyone has the right to, employer does not have complete justice to restrict employee's communication in social media. Employee's duty of loyalty has been legislated in Employment Contracts Act and it says that employee has general duty of loyalty towards their employer. Generally, freedom of expression and the right to express criticism towards the employer, are employee's rights but freedom of expression should be used properly. When the company will have social media guidelines it will then be much easier to assess whether employee acted contrary to the guidelines. In addition, it would be easier for the employee to evaluate, if something can be said or not. The problem, however, rises when trying to figure out which guidelines does not detract too much with constitutional right to freedom of expression.

7.2 Suggestions for further examination

There are still many things that could be examined and most likely will be researched in the future. Because Bachelor's thesis has its length limitations, these following aspects were not part of this research.

One issue that could be researched further would be the managerial level employees areas of responsibility on company's social media and how it differs from regular employees responsibilities. In Ravintola Santa Fé Oy managers are responsible of, for example, answering customer feedbacks on social media. As of now they do not have any written guidelines for that, and sometimes I have noticed that they do not keep that as important than answering to customer feedbacks that comes straight from the customer to their emails. It would be interesting to research of how nowadays customers expect quick responses on social media, and how companies should react to that. In my opinion managers could have their own guidelines for dealing with customer feedback, whether the feedbacks come from social media, email or from feedback form. Also some managers are more active on social media than others, even though it is part of their job as managers. Some regular employees are eager on updating social media, and employee advocacy could be the right fit for some employees. Because in the restaurant business the turnover of employees is

sometimes pretty high, it should be examined carefully who could be, for example, every restaurant unit's employee advocate for social media.

Another matter that could be examined further could be of how the social media guidelines need to be modified between different industries. As a family company our corporation consists of companies in different industries. Now it would be my will to modify these social media guidelines to be suitable for every company in our corporation.

Third issue that would be interesting to examine more is the content that employees create of their employer. In this research I only know now if the employees created positive or negative content, and just a tad of what the content is, as they told in their own words. I could assume that as employees they have better knowledge of other employees' social media behavior in comparison to their employer. In other words, employer will probably not see everything that is posted about the company in employees' social media accounts.

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Appendix 1: Questionnaire

Hei,

Teen opinnäytetyötäni Ravintola Santa Fé Oy:lle ja aiheenani on

Työnantajan oikeudet koskien työntekijän henkilökohtaisen sosiaalisen median käyttöä.

Olen valinnut kyselyn vastaajaksi ravintolapäälliköt, keittiömestarit ja muut ravintolassa yrityksen sosiaalisesta mediasta vastuussa olevat henkilöt.

Kyselyssä on 10 kysymystä, ja osassa kysymyksistä on myös vapaa kommenttikenttä, joihin toivon myös vastauksia, mielipiteitä yms. Kyselyn vastaamiseen menee alle 5 minuuttia ja siihen vastataan nimettömästi. Kyselyn vastauksia tulen käyttämään opinnäytetyössäni, ja valmis työ tulee olemaan luettavissa toimistolla sen valmistuttua.

Tässä linkki kyselyyn, jonka voi tehdä tietokoneella, puhelimella tai tabletilla: <https://fi.surveymonkey.com/r/ZB5CWNYY>

Kiitos!

Ystävällisin terveisin

Sabrina Klimscheffskij

International Business / Turun Ammattikorkeakoulu

* 1. Mitä sosiaalisen median kanavia käytät? (Voit valita monta vaihtoehtoa)

- Facebook
- WhatsApp
- Instagram
- YouTube
- Twitter
- Snapchat
- LinkedIn
- En käytä mitään sosiaalista mediaa (voit poistua kyselystä :))

* 2. Tuotatko sisältöä omiin sosiaalisen median kanaviin? (Voit valita monta vaihtoehtoa)

- Työpaikastasi
- Työtovereistasi
- En kummastakaan

* 3. Seuraatko työnantajaasi sosiaalisessa mediassa?

- Kyllä
- En

* 4. Oletko havainnut positiivista tai negatiivista sisältöä työnantajayrityksestä sosiaalisessa mediassa? (Voit valita monta vaihtoehtoa)

- Kyllä, positiivista (Vastaathan myös kommenttikenttään, Mitä ja missä?)
- Kyllä, negatiivista (Vastaathan myös kommenttikenttään, Mitä ja missä?)
- En mitään

Mitä ja missä?

◀ 5. Oletko tuottanut POSITIIVISTA sisältöä työnantajayrityksestä omiin sosiaalisen median kanaviin?

Kyllä

En

◀ 6. Oletko tuottanut NEGATIIVISTA sisältöä työnantajayrityksestä?

Kyllä (Vastaathan jatkokysymyksiin Mitä?, Missä?, Miksi?)

En

Mitä? Missä? Miksi?

* 7. Miten uskot negatiivisten postauksien vaikuttavan yrityksen maineeseen?

Ei mitään vaikutusta yrityksen maineeseen

Vaikuttaa aina negatiivisesti yrityksen maineeseen

Riippuu postauksen sisällöstä, mutta silti vaikuttaa edes jonkin verran negatiivisesti yrityksen maineeseen.

* 8. Käytätkö työaikasi sosiaalista mediaa?

Kyllä

En

Joskus

Jos vastasit KYLLÄ / JOSKUS, käytätkö?:

1. Omaa sosiaalista mediaa?

2. Yrityksen sosiaalista mediaa?

3. Sekä omaa, että yrityksen sosiaalista mediaa?

* 9. Olisitko itse kiinnostunut tuottamaan sisältöä yrityksen sosiaalisen median kanaviin? Tietoa ja kuvia yrityksestä, työtovereista...

Kyllä (Vastaathan jatkokysymykseen alla)

En

Minkälaista sisältöä?

Kuinka usein?

Miksi?

* 10. Koetko tarpeelliseksi, että yrityksellä olisi kaikille työntekijöille yhteiset sosiaalisen median pelisäännöt?

Kyllä

En

Miksi?