

Chapter 14 Case study

Twitter, Facebook and workplace organizing

Steve Walker

Social media have extended areas of contention and regulation in and around the workplace. They can blur boundaries between employees' private and work lives and between employees' private and corporate ownership of assets. Some commentators (e.g. Hayes 2011) have suggested that social media will replace unions as labour's central organizing mechanism; while such claims are likely to prove ill-founded, social media do provide unions with new opportunities for organizing workers. In some cases social media assets have even been 'occupied' by workers as a means of communicating their grievances to the wider world.

Companies have fired employees whom they believe to have defamed them or in some way brought them into public disrepute on social media sites. Some companies have used information gathered from social media sites in recruiting new staff or monitored use of public social networking sites by their employees. There is immediately a tension over employees' rights to freedom of expression and expectations of privacy. In the USA, the National Labor Relations Board (NLRB), a federal agency which regulates elements of US labour law has upheld a number of complaints against companies who have used employees' behaviour on social media sites as reasons to discipline or dismiss them. There have also been complaints upheld against unions. In some instances, companies have tried to try to discipline workers for using social media to conduct what, in US law, constitute 'protected concerted activity' discussions among employees about terms and conditions of employment and are thus legally protected. Workers elsewhere may not have this kind of specific legal protection when discussing work related issues online. It has generally become viewed as good practice for companies to have explicit guidelines on the use of social media, but here also there are areas of contention about what is appropriate, and in some instances overly broad constraints on employees' action have been found to be illegal in the USA (O'Brien 2014) or discouraged elsewhere (see e.g. Broughton et al. 2010 for a discussion by the UK Arbitration and Conciliation Services, ACAS).

Trade unions are using social media as part of their wider organizing, recruitment and other activities. The UK union UNITE, for example, has used social media in organizing campaigns in Scotland. For instance, one recurrent problem was gaining access to workers so as to present the union's case in 'green field' sites. Building on the use of online surveys to help to build a picture of a particular workplace, organizers searched Facebook to identify employees of a target company and invited them to join a Facebook group. Particularly where there were young workers who already used social media they were able to encourage further invitations to fellow employees who were Facebook friends of the original contacts. Facebook's privacy settings, though, meant that these groups were hidden from public view which some felt limited their value. As well as organizing workers where there has been little or no union presence, UNITE have experimented with using Twitter to promote discussion among particular groups of workers. In one example of this, they have promoted a 'Twitter Tuesday' and hashtag to promote a themed monthly discussion among community health practitioners that they represent, using the microblogging site.

Control over corporate or work-related social media has highlighted contention over the meaning and ownership of such identities, particularly among mainstream (mass) communication employers. This has led to ownership clashes where an employee moves to another company and where their personal

social media profile is blurred with that of the employer (e.g. Kravets 2012). Going further, a corporate social media presence may itself become a location of conflict at least temporarily. In early 2013, the entertainment company HMV made 60 London employees redundant. During a meeting at which the redundancies were announced, a staff member used the corporate @hmvtweets to tweet in real time about the redundancies that were being announced. Company managers tried to delete the tweets, but by then the tweets had been picked up and were being circulated around the internet (Elgot 2013).

Questions

- 1 The social media terrain has shifted historically as new sites emerge. Have there been more recent examples of more recent social media innovations (e.g. micro-video sites like Vine, or audiosites like Audioboo) being enrolled in contention between workers and employers?
- 2 The examples here include several from the intensive-industry sectors in the developed world. Are there other examples of contentious politics in other sectors and other parts of the world?

References

Broughton, A., Higgins, T., Hicks, B. and Cox, A. (2010) Workplaces and Social Networking: The Implications for Employment Relations, Research paper No. 11/11, Institute for Employment Studies/ACAS.

Elgot, J. (2013) HMV Twitter Goes Rogue, Criticises Head Office for Firing 60 Staff, *Huffington Post* http://www.huffingtonpost.co.uk/2013/01/31/hmv-twitter-goes-rogue-60-staff_n_2589922.html

Hayes, T. (2011) Will Facebook Replace Labor Unions?, *Huffington Post* http://www.huffingtonpost.com/tom-hayes/will-facebook-replace-lab_b_828900.html

Kravets, D. (2012) Employee or Employer: Who Owns the Twitter Followers? *Wired.co.uk* <http://www.wired.co.uk/news/archive/2012-02/07/who-owns-the-twitter-followers>

O'Brien C.N. (2014) The Top Ten NLRB Cases on Facebook Firings and Employer Social Media Policies *Oregon Law Review*, Vol. 92, Issue 2.