



the FORUM

NEWSWEEKLY



Ron Hardy, Anne Marie Power, Theresa Zale Bridges, Henry Edwards, Jill French and Ruth Drummond symbolize the mingling of classic and contemporary, traditional and cultural.

>>> Community

DIAMONDS ARE FOREVER

■ **Organizers hope fund-raiser keeps symphony running**

The oldest continually operating symphony in the state of Louisiana is about to celebrate its 60th anniversary gala with the theme "Diamonds Are Forever." Think you'd better

make plans to get down to New Orleans to be part of it? You're wrong. Shreveport Symphony Orchestra (SSO) holds that esteemed title, so you can support its Constellation Ball May 9 right here in town at the Grand Ballroom of Sam's Town Casino.

The Constellation Ball is an annual fund-raiser for the Shreveport Symphony and its programs. The 2008 installment marks the ninth year it's been presented. Money raised by the yearly event goes to fund all aspects of the symphony. Less than 20 percent of the revenue needed to run the orchestra is from ticket sales, so monies raised from the special event gala will help offset costs of which there are many. Seventy percent of the expense of having a symphony goes toward its productions with money paying for the conductor, stage hands, musicians, marketing and all the other components

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ENTERTAINMENT

■ **Barksdale Air Show slated for May 10 and 11**



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BUSINESS

■ **Meet Don Shea, the new DDA executive director**



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CYBER POLICIES

■ Social networking sites could jeopardize employment



Unlike Vegas, what happens in cyberspace doesn't always stay in cyberspace. Employers are taking full advantage of this growing resource for information about applicants and employees, and employees are learning the hard way that uploading personal photos from summer vacation at a nude beach while wearing nothing but a company hat, logo prominently displayed to a MySpace page, could leave them searching for a new job.

Personal blogs, social networking Web sites and personal Internet pages are now frequently visited by employers trying to learn a little more about the people working for them. In fact, a recent survey showed that nearly half of reporting employers use MySpace and Facebook to check out applicants and that more than one-third have used these sites to view a current employee's information. There's no reason you can't join them.

Applicants and employees don't have a reasonable expectation of privacy in what they do, say or post in any public forum, including the Internet. So employers are not violating any privacy rights by viewing a personal blog, Web page, MySpace page or other Internet site that is otherwise open to the public.

Information many employers can and do consider when researching applicants and employees on the Internet includes references to ongoing, illegal drug use or other illegal activity; sexually explicit photos or information; racist or other discriminatory remarks; defamatory or derogatory comments about prior employers or bosses; comments that suggest a poor work ethic or disloyalty; disclosing confidential or proprietary information belonging to a prior employer; use of the company's or other employees' names without permission; and anything else that might violate the employer's workplace policies or that otherwise is NSFW ("not safe for work" for those of you who don't get to the Internet very often). This type of information gives rise to legitimate business concerns for many employers, and it's fair game if an applicant or an employee is foolish enough to put it on public display.

That doesn't mean you can or should rely on just any information you find on these sites to discipline or fire an employee. Remember, federal and state laws make it illegal to use a protected characteristic, such as race, gender, religion, age or disability, in making any adverse employment decision.

Additionally, some state laws provide

greater protection to applicants and employees than federal law. For example, Louisiana law prohibits employers with 20 or more employees from, among other things, firing an employee based on political affiliation. So if your employee expresses a political preference on his MySpace page and you don't agree with him, firing him for that reason will land you in hot water.

You also have to consider whether the employee or someone else posted the information and whether it is authentic. Doctored photographs and phony blogs could create problems if an employer blindly accepts them and takes action without giving an employee an opportunity to at least tell his side of the story.

When it comes to an existing employee, the best practice for any employer considering discipline or other action based on Internet information is to confront the employee with the findings and allow him an opportunity to explain or respond. You might learn something that causes you to change your position, and if not, at least you've been fair and heard the employee's side of the story.

It's also a good idea to adopt a policy providing all employees notice of the type of outside activities you prohibit and the consequences for violating the policy. It should be discussed with and distributed to all employees or made part of your employee handbook. Any such policy should be drafted as narrowly as possible and should be based on legitimate business reasons and should not attempt to regulate or control private activities of employees that have no bearing on the company, its image or its business. Consulting your employment attorney is the best way to avoid overreaching when drafting and implementing an outside activities policy.

Many employers still think this is just plain common sense and you shouldn't or don't need a policy to tell applicants and employees to be careful about what they say and do in public. If that's what you're thinking, go to www.myspace.com right now and look around. Then call your employment lawyer and get working on your policy.

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