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SOCIAL MEDIA

Hunting for clues online

A look at several social media investigations that gleaned results for employers

By Evert Akkerman

In this era of instant access to millions, employees and job-seekers increasingly realize the privacy screen that used to separate work and life has been lifted. Off-duty behaviour is no longer just an employee's or job seeker's business, even when people think no one is looking or only their friends will see it.

As a result, employers are adding a social media check as a standard step in the selection process. This can be quite revealing, often showing an ill-advised move by an employee, such as derogatory comments about a supervisor or being on disability and posting a picture showing them climbing a palm tree in Hawaii.

In recent years, there have been many examples of internal theft, fraud cases, bullying or workplace violence threats and other issues that came to light because of unwise, unfortunate or offensive postings on social media by employees — prospective, current and former.

As part of due diligence, employers can now have a social media investigation conducted. This is basically an electronic dragnet that catches postings by a prospective employee. If it finds photos of a job applicant passed out drunk in a parking lot after a hockey game or inappropriate comments, the employer may want to reconsider this person's candidacy.

Companies that do this type of investigation offer a social media footprint search to determine whether an individual is a user of social media. This entails a search of all social media channels, including Twitter, Facebook, YouTube, Instagram and Flickr, as well as "deep web harvesting" technology that captures aliases with a customizable, multilingual key word search.

A second tool is social media surveillance in which activity on social media is monitored for a certain period of time, with real-time alerts on key word hits. It entails 24-7 electronic surveillance of all social media and deep web channels, with content (including pictures) harvested and stored.

Here are several examples of social media monitoring by Milton, Ont.-based AFIMAC Global:

Drug use: A company wanted to investigate complaints of drug use in the workplace. Based on internal findings, the client wanted to focus on six employees and monitor them on social media for a period of time.

After 14 days, an alert came in stating the word "high" had been used — one of the employees had bragged on his Facebook page about his workday being better when he was "high." He was working as a forklift driver in a large warehouse.

The company was alerted immediately, the employee confessed and his employment was terminated.

Benefits fraud: An employee was collecting WSIB benefits as a result of a workplace injury. Based on restrictions in place, the individual was totally disabled and unable to perform modified or light duties. However, HR had received information suggesting the employee might be exaggerating his claim and requested that the employee's open source social media footprint be monitored. This yielded photographs of the individual playing soccer and visiting various locations in New York. When HR met with the employee, he admitted to having been in the United States and that he was not disabled to the extent he had claimed. HR issued a suspension.

Theft: A company was confronted with the theft of expensive tools from its maintenance shop. Four employees had easy access to these tools and investigators were asked to monitor them on open source social media.

Keywords in the search included terms commonly associated with theft, such as brand names and product numbers specific to the tools that were stolen. After three weeks, an alert came in stating tools would be part of a garage sale by one of the suspects.

Evidence was collected through physical surveillance, after which the suspect was interviewed. He admitted to stealing tools on a regular basis and his employment was terminated.

Defamatory emails: A multi-national organization was the target of defamatory emails, but the corporation did not want to involve its IT department, in the event there was an internal component. Investigators harvested open-source information across major social media channels associated with possible subjects, whom the company had identified.

Data was harvested and conveyed to the client. External subjects were identified through additional computer forensics and physical surveillance and subsequently ordered to cease and desist.

Employees were interviewed using the information gleaned in the reports, resulting in progressive discipline and terminations.

Workplace violence: A company decided to monitor an employee who demonstrated aggressive behaviour and was verbally abusive. HR had developed a performance improvement plan (PIP) for the employee and, as a precaution, wanted the employee's open source social media footprint monitored. The employee posted statements that were somewhat troubling and suggested the individual might act out.

Data was harvested and stored. When the PIP did not have the desired result, the company decided to terminate the individual's employment. Security measures were put in place to mitigate any termination risk.

The termination decision was met with a heated verbal outburst from the employee but, fortunately, no physical violence occurred.

Social media mining can yield relevant information on current and prospective employees and play an important role in risk management. It helps organizations avoid or address issues, from employee dishonesty to workplace violence.

Harvesting information before a job offer is presented can identify untrustworthy individuals who could jeopardize a company's reputation, culture and morale. Infusing social media mining into people searches can be a welcome addition to the due diligence process, which should be of great interest to recruiters, employers, lawyers and HR professionals.

Evert Akkerman is an HR professional based in Newmarket, Ont., and founder of XNL HR. He can be reached at info@xnlhr.com.