

## Is it OK to air work grievances on social media?

By [Virginia Backaitis](#)

‘I wish I wouldn’t have done it.’

So says Wade Groom, a Lacoste salesman who was fired earlier this year for posting a picture of his paycheck to his private Instagram account.

It never occurred to the Brooklyn dad that venting to his social network about how difficult it is to provide the life he wants for his family, in New York City, given his income, could cost him his job — but it did.

Though Lacoste won’t comment on the headline-grabbing August incident, attorneys, human resources consultants and employers have differing opinions about whether it’s appropriate to reveal one’s paycheck or discuss compensation on social media.

It largely comes down to intent: If you’re trying to rally your co-workers into asking for bigger paychecks or better working conditions, for example, you might be covered by the law. Attorneys point to the National Labor Relations Act, which protects workers who want to have discussions about grievances like working conditions — including pay — with peers.

It supersedes employee confidentiality agreements, says employment attorney Alix Rubin. And sharing your sentiments via social media rather than at the water cooler doesn’t change anything — except the former carries the risk that thousands of people (including your employer) will see them. As long as a few co-workers are part of that group, you’re probably safe.

Complaining about circumstances surrounding your work is bad for company p.r., adds human resources expert Laurie Ruettimann — but not necessarily a fireable offense. “It’s a pretty minor strike,” she says, explaining that companies will only terminate someone when they are confident they can win a lawsuit.

But if you’re talking about your paycheck for any other reason, all bets are off.

Consultant Ed Dougherty says what employees can and can’t share about their work situations is still an emerging field of policy. “Companies can write whatever they want into their confidentiality agreements,” he says, “and they may or may not be enforceable — there are no hard and fast rules.”

Still, whether they mean to or not, workers in all industries are testing the limits.

Patrick Ambron, CEO of Soho-based Brand Yourself, a Web service that helps people improve their Google search results, says it's not unusual to find comments about pay and grievances about employers on the Web.

“While they might not mention their employer's name in the complaint,” he says, “if you go to LinkedIn or Facebook, you can tell where they work.”

Attorney Donna Ballman, author of “Stand Up For Yourself Without Getting Fired,” encourages workers who are undercompensated to talk to management. If that doesn't work, garnering support from colleagues via social media could be an alternative option.

She's not worried if people who aren't your workmates read your posts. “It's no different than meeting your co-workers in a restaurant where others around you can overhear you,” she reasons.

Ballman expects more outbursts like Groom's to pop up. “The level of frustration among workers is very high. They were afraid to speak up during the Great Recession, and now they're getting their nerve up to try to change things,” she says.

Disgruntled workers should know there are smarter ways to air grievances, says Ruettimann. She suggests Glassdoor.com, a Web site which provides an anonymous space to talk about your employer, or creating an anonymous social media account.

Still, if people are in the habit of updating Facebook about dates gone wrong, are they likely to stay mum about paychecks? Probably not.

“We're seeing a revolution in openness in our professional lives,” says Ballman.

That means muzzling employees with confidentiality agreements should no longer be the norm, according to a new generation of employers.

Dane Atkinson, CEO of Soho tech startup SumAll, exposes the salaries of all of his company's employees on a shared drive, so they can see what everyone is making. He doesn't expect any of them will go on social media to post their salaries, because he's created a culture of transparency — so there's no real need to squeal.

Besides, if someone is unhappy with how much SumAll is paying, he or she can look at the database to see who is earning the paycheck they aspire to — and then bring their work to that level. And if your chosen role will never pay you as much as you'd like to earn, “Then you're upset with your career choice — not your employer,” says Atkinson.

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