



Quiz

Managing Social Media use in the Workplace

1. Can a workplace conduct surveillance into the online activities of its employees?
 - a. Yes, but only if it is on work issued devices
 - b. No, as it is an invasion of privacy
 - c. Yes, but only if it follows its legislative obligations in doing so
 - d. Both A and C
2. What will the Fair Work Commission consider when determining whether an employee has been unfairly dismissed in regard to social media misuse?
 - a. Whether there was a social media policy in place;
 - b. Whether the employee was aware of the policy;
 - c. Whether the social media policy in place was 'reasonable'
 - d. All of the above
3. What was the decision of the Federal Circuit Court in *Toll Transport Pty Ltd & Ors v Erikson* [2017] FCCA 3120?
 - a. As Mr Erikson was an ex-employee of Toll, he was entitled to wear whatever he liked on television and it was unreasonable for Toll to restrict his choice of clothing;
 - b. Mr Erikson was ordered to return all his Toll uniforms to Toll;

- c. Toll could not restrict Mr Erikson's freedom of speech by ordering him to remove the videos he had posted of himself, no matter what he was wearing;
 - d. Both A and C
- 4. Which of the following is NOT an action an employee can take in regard to termination on the basis of social media misuse?
 - a. An unfair dismissal claim
 - b. An adverse action claim
 - c. A discrimination claim
 - d. An infringement of freedom of speech claim
- 5. Which of the following is true in relation to a workplace social media policy?
 - a. It is a set of guidelines issued by the Fair Work Commission which all employers and employees in Australia must follow in regard to social media usage
 - b. It is a set of rules provided to employees by an employer as to what the employer considers to be permissible conduct on social media
 - c. Under the *Workplace Surveillance Act 2005* (NSW) every workplace in Australia must provide a social media policy to its employees which explicitly sets out the rules governing social media use
 - d. Both B and C

Answers:

1. C 2. D 3. B 4. D 5. B