

# Who Owns your Social Media Contacts?

By Anna Cairo

[www.annacairo.com](http://www.annacairo.com)

I pose this question as in a recent article - [LinkedIn blurring demarcation lines](#) – there was discussion over whether an employer has any claim to an employee's LinkedIn profile or contacts. I am not a lawyer and these legal issues have yet to be tested, however, it is legitimate to explore these complexities.

Although the claim is most likely relevant to all social media platforms, this issue is particularly significant to LinkedIn. As a business related social network site, it is mainly used by professionals to connect, network and exchange information, ideas and opportunities.

When connections are built around the employee's role and employment using company resources, the issue is challenging. In some industries, contact lists are commercially sensitive and where as in the past these particular lists would have been confidential, social media is now blurring the lines between what is personal and professional activities.

Here are three questions to pose:

- Can an employer tell an employee to remove their contacts from their profile when they resign?
- If the employee has invested personal time building these contacts who do they belong to?
- Can an employer stop an employee from advertising that they are interested in "career opportunities"?

These are issues that are relevant to both the employer and employee and highlight the fine balance between employers encouraging employees to use social media platforms for business but then claiming the information as belonging to the employer. Whether an employer can claim ownership for the profile, the actual account or the contacts is undecided. However, in an [English court](#), an employee (who resigned to start his own consulting business) was ordered to turn over all of his LinkedIn contacts to his former employer. The future may hint that the contacts could more likely belong to the employer.

These are challenging issues, which will become much more widespread as the rise and popularity of social media increases and as it becomes more ingrained in business. A solid social media policy (including policies for individual platforms) may become more significant in a business environment so that the ground rules are clear and could potentially alleviate confusion. As time passes these concerns will become more significant in a highly competitive world. All employers need to consider how they would handle such a situation if it arises in their workplace.