

Social media(tion) and the reshaping of public/private boundaries in employment relations

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Tensions surrounding social media in the employment relationship are increasingly evident in the media, public rhetoric, and courts and employment tribunals. Yet the underlying causes and dimensions of these tensions have remained largely unexplored. This article firstly reviews the available literature addressing social media and employment, outlining three primary sources of contestation: profiling, disparaging posts and blogs, and private use of social media during work time. In each area, the key dynamics and underlying concerns of the central actors involved are identified. The article then seeks to canvas explanations for these forms of contestation associated with social media at work. It is argued that the architecture of social media disrupts traditional relations in organisational life by driving employer and employee actions that (re)shape and (re)constitute the boundaries between public and private spheres. Although employers and employees are using the same social technologies, their respective concerns about and points of entry to these technologies, in contrast to traditional manifestations of conflict and resistance, are asymmetric. The article concludes with a representational summary of the relative legitimacy of concerns for organisational actors and outlines areas for future research.

Defined as virtual networks and communities that enable individuals to create, exchange and disseminate information and ideas, social media has become a pervasive feature of the contemporary employment relationship, fundamentally altering the reach, speed and permanency of work-related conduct and expectations (Ellerbrok 2010; Jacobson and Howle Tufts 2013). At the same time, tensions around the dynamics of social media within the boundaries of the employment relationship are increasingly evident, with debates about what is considered appropriate, normative or legitimate being played out in the media and blogosphere, as well as in courts and employment tribunals. The legal context has been the main focus for academic discussion (for a recent US overview see Lucero et al. 2013), while explanations of the underlying causes and dimensions of social media tensions have received less attention, especially from a work and employment perspective.

This paper seeks to canvas explanations for what we argue here are distinctive ‘contested terrains’ associated with the use of social media in employment. The term ‘contested terrain’ has become a familiar one and is associated with Richard Edwards’ (1979) seminal labour process book of the same name. Contestation signals a variety of forms of conflict and resistance around effort, discipline, wages and other issues – open or hidden, solitary or solidaristic – that function as a key driver of workplace change. The terrain examined by Edwards was a relatively traditional one – large factory organisations and various manifestations of conflicts around the work-effort bargain. Yet he also notes, ‘Conflict in the labour process occurs under definite historical circumstances ... within a specific economic and social context’ (1979: 15). Thus, if we consider the ‘terrain’ component of the term, it has been transformed under the impact of various economic, cultural and occupational changes. Some of these changes – social media being a significant example - have facilitated shifts in the boundaries between the public and private in organisational life. Our discussion of this shifting boundary derives from understandings of Weberian categories that have

shaped organisational and social theory. For Weber, in ‘the machinery of modernity’, ‘there is no room for the concrete, the particular and the personal. These are banished to the “irrational” realm of “private life”’ (Sayer 1991: 153-4), which is associated with the household, family, friendship and community networks. Rationality and bureaucratic organisation was not only based on calculability, hierarchy and formal rules, but on impersonal modes of conduct: ‘Impersonality and the separation of the public and private spheres distinguish bureaucracy from traditionalism’ (Pringle 2005: 286).

In this article, we will argue that social media reflects and amplifies the tensions associated with shifting public/private boundaries, resulting in distinctive forms of contestation in the employment relationship. For example, employers have used social media to access information from private digital networks that they consider useful in selecting suitable job candidates and monitor the behaviour of employees to an extent not previously possible. Meanwhile, disgruntled employees can vent their negative views and experiences concerning the circumstances of their employment – often to ‘friends’ on platforms such as Facebook – and defame co-workers, divulge company confidentialities, and destroy both individual and organizational reputations (Lucero et al. 2013). The article begins by reviewing the available literature that has addressed these emerging tensions between employers/managers (including HR managers) and employees around social media use in employment. We frame this review according to three main sources of contestation – profiling, work-related blogs and posts, and private use social media in work time – providing an account of the dynamics involved and identifying the underlying concerns of the key actors.

The review draws on a greater than normal number of non-standard or ‘grey’ literature such as online media sources, websites of law firms and workplace consultants, conference papers, and reports and working papers. This is a reflection of both a relatively new field at an early

stage of development and one in which emergent areas of discussion about workplace boundary issues are prominent in public, policy and legal discourses. These usefully provide recent illustrative examples of contestation, supplementing and complementing peer-reviewed scholarship.

In the later sections of the article, we propose explanations for these emerging forms of contestation and argue for why they are distinctive. In particular, we suggest that such tensions are illustrative of wider patterns of shifting and blurring public/private boundaries in organisational life, which are made possible, in part, through the ‘instrumentalisation of subjectivity’ (Flecker and Hofbauer 1998). We take as one starting point Ackroyd and Thompson’s (1999) conception of work, time, effort and identity as terrains in which employment relations actors seek to appropriate scarce resources, generating patterns of contestation and (mis) behaviour. This lens facilitates an exploration of patterns of continuity and change in the domains in which the dynamic ‘interplay of interests and identities’ of the actors in the employment relationship unfolds. It will be argued that contemporary forms of social media provide a space for a nexus of conduct (Allred 1999) where employer and employee actions that (re)shape the boundaries between public and private spheres meet in characteristic forms of work/place contestation. We further propose that such forms of contestation are distinctive because whilst employers and employees are using the same social technologies, unlike traditional terrains such as effort and time, their concerns about and points of entry to these technologies are asymmetric. The empirical and theoretical territory covered in the article offers insights into a number of important dimensions of employment relations, including the appropriate extent of codification and direction of employee behaviour by employers; issues of employment regulation and protection; and how creeping changes to workplace norms may impact on reasonable expectations of privacy and the intensification of work. Finally, directions for future research in the area are proposed.

Sources of contestation related to social media

The literature has identified an array of circumstances in which social media use has led to contestation in employment relationships. These tensions have been discussed predominantly from a legal perspective, with a relative paucity of empirical or theoretical work available in employment and organisational literature. We outline three manifestations of tensions in which social media features, including, where relevant, illustrative legal cases. Within each substantive theme, we provide an interpretation of what are likely to be the central concerns of the actors involved - principally, employers and employees. This foreshadows theoretical explanations of these sources of contestation and a subsequent diagrammatic representation of the competing employer/employee terrains involved.

Profiling

A prominent theme of contestation discussed in the employment law literature and more general media commentary is the practice of profiling. Profiling involves the gathering of information by employers on employees via online search engines or individual social media sites in order to select an appropriate job applicant. Profiling appears to be a pervasive employer practice. According to a much cited US survey conducted by the Microsoft Corporation, around four in five hiring and recruiting professionals research applicants online using sources including online social network sites, photo and video sharing sites, professional/business network sites, personal websites, blogs, and online forums and communities (Cross-tab 2010). Another smaller scale survey in the UK reported that 27 percent of employers did so (Peacock 2008). Information of particular interest to employers includes 'lifestyle' issues, inappropriate comments or text, membership of certain groups and

networks, and communication skills (Sprague, 2011). Such background information of employees extends considerably the more traditional forms of evidence derived from criminal and reference checks. The practice of profiling may also yield discrepancies between information provided directly by prospective employees and evidence gathered online. Information discrepancies have also led to conflicts involving current employees who have feigned illness or claimed to be injured (especially in worker's compensation claims), or who have erroneously informed their employers they are unable to work for other legitimate reasons. An example was a case in the US involving a HR manager who was dismissed due to a false claim that she was serving jury duty, when her Facebook site indicated she was on holidays (Jacobson and Howle Tufts 2013).

Both employers and employees may seek benefits from the creation of online personas. Carefully crafted, idealised identities may offer tangible rewards for employees in the job market in terms of employment prospects and internships (Ellison et al. 2007), particularly where connections with university or past colleagues have been maintained (Ellerbrok 2010). Employers on the other hand, stand to benefit from profiling in at least two ways. First, the practice improves the chances of selecting 'enterprising subjects', that is, employees who are autonomous, energetic and self-regulating (Rose 1990) and who identify with the goals and objectives of the company (Du Gay 1996). Ellerbrok (2010: 202) refers to this as facilitating 'the profitability of individual disclosure', even where employee disclosure is associated primarily with their social rather than instrumental, career-oriented profiles. Second, profiling allows employers to screen out job applicants whom they consider unsuitable, on the basis of criteria or individual characteristics that may not be evident through traditional recruitment methods.

In contrast, profiling raises a number of concerns from the perspective of employees and there is some evidence that employees are generally adverse to the practice (My Job Group, 2010). Questions have been raised for example about how qualified or motivated employers are to use information gathered through profiling in reliable, valid, job-relevant ways (Davison et al. 2011). Prospective employees may also be completely unaware of what, if any, information was gathered, and how that information was used in a recruitment decision. There appears to be no requirements in any countries or jurisdictions that employers disclose the sources of, or processes by which they obtain information on job candidates (Carrington Davis 2007). Although social network users can set their privacy settings to prevent unintended disclosures of personal information, in practice this may be unrealistic, especially for a generation 'raised with blogging, webcams and icons of smiley faces that act as digital proxies for personal interactions' Rosenblum (2007: 40).

An especially contentious practice associated with profiling from the perspective of employees, is coercing job applicants to reveal the passwords to their social media sites, either on job application forms or during a job interview (Neylon O'Brien 2011). It is not known how frequently employers use, or attempt to use this strategy, but there have been cases where, following the disclosure of such attempts, significant public criticism led to organisations retracting these approaches from their recruitment protocols (Beadle 2012). However, the challenge for employees in garnering information about other candidates for comparison (Broughton et al. 2010) and hence, providing enough evidence to prove a claim of inappropriate or unlawful data gathering in the recruitment process, has meant that formal litigation associated with profiling is rare.

Profiling appears to threaten what prospective employees might see as their right to a private identity outside the gaze of organisational scrutiny. Legal interpretations of privacy provide a

useful illustration of such claims, and have focused on dimensions including reasonable expectations, secrecy or concealment, and physical space. Rights-based frameworks feature prominently in discussions of privacy, where the entitlements of employees and job applicants to keep their personal online information concealed from employers is weighed against the rights of employers to monitor employees in order to reduce risks associated with legal liability, reputational damage, or reduced productivity. Most courts have considered the right to privacy to be binary, in the sense that what is not kept secret is not considered private (Solove 2007), and that social media users are effectively ‘publishers in a public realm’ (Howard 2013: 1). Some courts have also determined that individuals should not have a reasonable expectation of privacy in transmissions that have arrived at the recipient, including entries in e-mails and on Facebook and MySpace (Brown et al. 2012).

In the US, privacy has also been conceptualised as a function of physical space and location rather than dignity; a notion that is destabilised in cyberspace because there are no physical boundaries that delineate behaviour and propriety (Levin and Sanchez Abril 2009; Sanchez Abril 2007). However, even in the US, where management interests are often favoured over those of employees, management prerogative is not universally prioritised in the use of profiling, with limits being imposed on employers in areas such as credit checks and the consumption of lawful products (Charlesworth 2003). In contrast to the US, tribunals in other countries such as Canada, Israel and France have adopted a more dignity-oriented approach to privacy that awards employees a greater measure of a private life and private use of technology, focusing more on the right to dignity, personal identity and intimacy, than on the role of the individual within the work environment (Del Riego et al. 2012; Whitman 2004). Overall however, the so-called right to privacy, with its emphasis on secrecy, concealment and space, may leave little protection to job applicants or employees who reveal digital

personas online or who transmit electronic communications using an employer's computer and communications systems (Sprague 2011).

Work-related posts and blogs

Anonymous blogs about work, many focusing on call centre work, first appeared in the 2002-05 period, forming 'a lively, loosely interconnected group, broadcasting irreverent opinions... from low-level employees and supervisors to the global, blogging community' (Schoneboom 2011: 133). Since then, contestation over the posting of defamatory, derogatory or disparaging content online has featured prominently in the media and, to a lesser extent, has attracted attention by employment researchers. Typically, legal cases surrounding work-related blogs and posts to Facebook, Twitter, or other social media, involve an employee who has been dismissed or disciplined by their employer as a consequence of online post(s) and who later challenged this punitive decision in an industrial tribunal. Holbrook (2011) for example, describes a case from the UK involving the sacking of 13 Virgin Atlantic flight attendants who criticised the airline's flight safety standards and described passengers as 'chavs' (a derogatory term used in the UK referring to aggressive, arrogant, lower-class young adults). Another example in the US involved two Domino's Pizza employees who uploaded a video to YouTube showing sandwiches being made for delivery, while violating a range of health codes, which within days, had been viewed more than a million times (Sprague 2011).

In these and other disputes, employers dismissed or disciplined the employees on the basis that the postings had one or more of the following effects: brought the company into disrepute; repudiated the contract of employment; attacked the integrity of management; damaged the employer's legitimate business interest; or challenged management prerogative

(Borg 2012; HLSLegal 2013; Spencer 2005). Whether the dismissal is considered ethical by courts appears to depend on the ‘moral intensity’ of the conduct, that is, the likelihood of the comment harming the company and scale of the harm (Valentine et al. 2010). In contrast, scholarly research has proposed that, rather than being simply a nuisance to business (Richards 2008), such conduct by employees is an artistic form of employee resistance (Schoneboom 2011), an emergent method by which employees can counter increased isolation in the workplace (Gely and Bierman 2006); a means by which employees can achieve objectives conventionally pursued through traditional communication technologies, self-organised work groups and staff representative entities (Richards and Marks 2007); or in circumstances of considerable constraints on collective mobilisation, a form of ‘conflict method displacement’ (Gall and Hebdon 2008; 592).

As indicated earlier, Allred (1999) refers to this connection between off-duty behaviour and the efficiency of the workplace as a nexus of conduct, whereby employers consider conduct outside the workplace to be subject to regulation and inspection because it has a direct impact on the firm or its employees. Employees, on the other hand typically challenge disciplinary actions on the basis that they posted the (albeit candid) online material outside the boundaries of the workplace and voiced authentic accounts of working life. This could be defined as ‘a critical distancing from the corporate cultures in which employees are immersed, [and]... in which an oppositional identity [could] be sustained and nurtured’ (Schoneboom 2011: 135; see also Richards and Kosmala 2013). In the US, employees are afforded specific protections around such conduct in Section 7 of the National Labor Relations Board, which allows employees to engage in ‘concerted activities’, which is to communicate amongst themselves for the purpose of improving working conditions. However, employees face challenges in achieving protection under this legislation. The post must have an explicit ‘labor nexus’; that

is, it must relate to wages, hours or working conditions and involve efforts for mutual aid, but must not involve 'egregious misconduct including violations of law or rules that are justified by the employer's legitimate business concerns' (Berkowitz et al. 2012; Neylon O'Brien 2011: 62).

The architecture of social media, with its requirement for login information and passwords (Del Riego et al. 2012), may well exaggerate the expectations of privacy that underpin many unlawful dismissal claims by employees in employment tribunals, particularly if posted in their own time and on a private computer. Courts on the other hand, have generally been more concerned about whether the post affected the employment relationship or attacked the integrity of management, than whether it was made on the employee's home computer or out of work hours (HLSLegal 2012). An example in point includes the case of James Brennan, a store employee from central London, who was fired after posting a derogatory statement that he believed was private, but was later printed off by a colleague who showed it to his employer (Neate 2008). However, the notion of privacy is ambiguous and variously interpreted in legal fora. For example, a recent Australian case heard by the Fair Work Commission accepted a dismissed employee's claim that a derogatory comment on Facebook was private and therefore not covered by the organisation's social media policy. The employer in this case had logged into his estranged wife's Facebook site using her password, where he discovered the derogatory comment made by the dismissed HR manager who was a friend of his wife's. The circumstances considered mitigating in the case were that the post, in addition to having being intended as private, did not have a damaging effect on the workplace, other employees or the business and that the manager had an impeccable 18 year employment record (Anti-discrimination board of New South Wales 2014).

Private use of social media in the workplace

A third area of contestation that frequently arises in the employment relationship is so-called ‘excessive’ personal use of social media by employees during work hours, also referred to as ‘cyberloafing’ (e.g., Court and Warmington 2006; Henle and Blanchard 2008).

Unsurprisingly, employers often claim that such use constitutes theft, misconduct, or an abuse of resources (Kidwell and Sprague 2009; Maclou and Dempster 2012) in the sense that time spent on personal social media is time not spent on paid work-related activities. In this way, personal use of social media during work time can be seen as a high-tech version of traditional forms of time appropriation and ‘wasting’ or ‘empty labour’ (Paulsen 2014). A large UK survey showed that 55 percent of employee respondents accessed social networking sites while at work, with 16 percent spending over 30 minutes per day on these sites and six percent over one hour per day (My Job Group 2010). The survey also showed however that more than half the respondents believed they were at least as productive as they were prior to using social networking sites, indicating a possible substitution effect for previous activities conducted via email, phone or SMS messaging. Employees who engage in private online activities while at work are thought to do so in part, to neutralise perceived employer injustices and/or to cope with workplace stress (Kidwell and Sprague 2009; Henle and Blanchard 2008; Lim 2002).

A key issue related to private online activities in the workplace is employer surveillance. Surveillance of social media in particular may involve blocking certain types of platforms or online links such as pornographic or gambling websites (Broughton et al. 2010) or social networking sites. There is insufficient space here for a comprehensive review of the growing body of legal, ethical and employment research on electronic surveillance in the workplace. However, while surveillance has long been recognised as part of the ‘armoury’ of managerial

practices in the workplace (AUTHOR), the digitisation of surveillance technologies, in workplaces and elsewhere, has meant that information is now far more amendable to storage, transmission and computation and more easily deposited, sorted, classified and retrieved, than analogue methods (Introna and Wood 2004; Norris and Armstrong 1999). Hence, employers can now watch employees via CCTV, record telephone calls, monitor office conversations and computer screens, log key strokes, and pinpoint the whereabouts of an individual in a building or company car (Kidwell and Sprague 2009; Martin et al. 2009). Although surveillance technologies may be tolerated to a greater extent by employees in the relatively more public realm of work, than those utilised outside the workplace (Charlesworth 2003), they are also thought to reorient social structures and redefine spaces within which employees can resist in new and interesting ways (Martin et al. 2009).

We noted earlier that courts in different jurisdictions adopt distinctive approaches to the notion of privacy where employees reveal their personal identities online. Various interpretations of privacy, based on the relative legitimacy of competing interests of employers and employees, also apply to the private use of information and communication technologies (ICT) at work, and the surveillance of such. Ellerbrok (2010) for example, uses social media to illustrate what she refers to as the relationship between visibility and power, noting that online social networks have become the focus for many surveillance-empowerment claims. She argues that scholars have struggled to place these technologies in relation to their tendency towards, on the one hand, facilitating identity empowerment by benefiting interactions with others, and on the other hand, disempowering individuals by posing substantial privacy risks (Ellerbrok 2010).

As suggested in the section on profiling earlier, employees who transmit electronic communications using an employer's computer and communications systems may have few

protections (Sprague 2011). However, there are exceptions and a number of legal decisions about private activities conducted in the workplace have focused more on the dignity of the individual employee rather than their role in the workplace. Del Riego and colleagues (2012) for example, cite two recent decisions, the first in the National Labor Court of Israel which prohibited employers from accessing employees' private web mail accounts without a court order, even if such accounts belong to the employer and were accessed during work hours using employer-provided computers. The second example in which the dignity of the employee featured prominently was in the French Supreme Court where an employer was found to violate its employee's fundamental right to a private life because they read electronic correspondence the employee had drafted while at work on the employer's work-provided computer, but which had been marked by the employee 'confidential' (Del Riego et al 2012).

Social media and public/private boundaries

How are we to understand these new developments in social media use? Interpretation of these issues has come mostly from journalists, lawyers, legal academics, and workplace consultants; the latter who usually focus on employer concerns. In contrast, others with a potential interest in social media and the workplace have been less vocal on the issue, with relatively little discussion that focuses on the employment relations dimension in particular. However, there are some recent exceptions. Hurrell et al. (2013) refer to a 'new contested terrain', locating developments within a labour process perspective. They argue the internet and social media offer employers a surveillance technology and mode of management control in and away from the workplace. At the same time, employees are also engaged in an expanded use of the internet and social media ranging from the instrumental (job search) to

‘new and creative forms of misbehaviour’ (2013: 4). They argue that employees are aware of and react to employer surveillance (and other coercive practices) using social media, and especially blogging, to comment on and challenge corporate discourses through varieties of worker voice (Richards 2008; Ellis and Richards 2009; Schoneboom 2011). Similarly, Rose (2013) uses a small case study of knowledge workers to explore how they use ICT to ‘exert control over the permeability of the boundary’ between paid work and personal life. A hierarchy of accessibility is operated in which employees screen and select on various devices according to the who, what and when of interactions with significant others.

We are sympathetic to such arguments, particularly when they seek to locate employee voice and agency in circumstances where Foucauldian claims about technologically-driven panoptic surveillance still hold some sway. However, there are limitations to these framings. Within labour process theory, Richard Edwards’ concept of technical control was intended to signify practices that are systematically embedded in work structures. Typical contemporary examples of technical control would, therefore, be the assembly line of automated call distribution in call centres (AUTHOR). In contrast, managerial practices with respect to social media represent attempts to utilise non work-based technologies to pursue employer interests. On the employee side, though certain work blogs undoubtedly constitute specific acts of resistance, they involve a very small minority. More importantly, everyday employee use of social media at work appears to arise on different or parallel terrains. We have previously referred to Ellerbrok’s (2010) notion of Facebook and other social media involving ‘multiple levels of visibility’ in which a process for disclosure and peer-to-peer visibility exists alongside ‘regulatory surveillance’. Social media technologies thus provide a shared space for discontinuous and asymmetric concerns from employment relations actors. Though such ‘visibilities’ exist in tandem and in tension, contestation arising from the use of social media may not correspond closely to the classic dialectic of control and resistance

more typical of traditional effort bargain conflicts. Rather, the use of social media destabilises private/public boundaries and opens up or facilitates new terrains on which contestation may arise. The study by Rose (2013) is closer to this focus, but the term control is applied overwhelmingly to employee actions, with managerial initiatives largely unexplored. Her interest in 'boundary work' is primarily located within debates about the potential for integration of work and home lives, and the extent of spillover between them. Whilst an entirely legitimate interest, there is also a need to situate emergent contestations around social media use in a larger and different frame.

Employment and social trends: loosening the public and expanding the private?

Earlier, we briefly introduced the Weberian categories on the public and private spheres. Though there are legitimate questions concerning the extent to which Weber's work excluded the affective or emotional (Albrow 1992; du Gay 2000), the Weberian legacy to organization theory has been to conceptualise the workplace as a site of rationality and efficiency, unsullied by 'love, hatred and all purely personal, irrational and emotional elements' (Fineman 1993: 9). To be dedicated to the job, 'organization man' must embrace the 'rational' and the impersonal personality, with a clear distinction between the public realm, where the good worker operated within definable tasks and functions, and the private sphere which resides external to wage labour and the workplace.

However, the 'transformation of sociality' resting on such boundaries envisaged under modernity (Sayer 1991: 2-3) has begun to break down. Employers in recent decades have effectively breached boundaries in drawing on a broader range of labour power characteristics in which the whole person is engaged in order to enhance performance and profits (Flecker and Hofbauer 1998). In effect, employers seek to mobilise 'private'

capacities or what we refer to here as ‘loosening the public’ through such means as emotional labour, where emotions or ‘passion’ for the job are encouraged, and to a lesser extent sexualised and aesthetic labour, which are utilised by companies for ‘public’ ends. Another significant trend reflecting the loosening of the public has been enhanced managerial activism in the cultural sphere. For example, a lot has also been made by management commentators and some critics about an increased focus on workplace practices that draw on qualities that may have previously been seen as residing in the private sphere. These include emotional intelligence (Fineman 2004; Clegg and Baumeier 2012) and the use of ‘fun’ and serious play at work (Sørensen and Spoelstra 2011).

It is important to recognise that some of these practices have been over-hyped and under-researched. For example, some popular business and positive psychology writers have been promoting the advantages of emotionally literate managing and some of them have also devised techniques for measurement and metrics (Fineman 2004). But as Clegg and Baumeier (2012) admit, even where such approaches are implemented in ‘liquid modernity’, we are talking about a small elite of higher level managers. As for the work/play boundary, packaged fun relies largely on the consultant-led efforts of some companies – often youthful American firms with workers under 35 – to add to the repertoire of engagement mechanisms through, for example, fancy dress days, karaoke competitions and laughter workshops. There is little evidence for the pervasiveness or effectiveness of such practices (Bolton and Houlihan 2009), and contemporary business continues to rely heavily on external targets and cascading performance management. However, whilst the extent and effectiveness of values-led, commitment-seeking, identity-shaping approaches has been exaggerated (AUTHOR), there can be little doubt that a range of normative controls have been added to the managerial armoury, particularly in high-tech or knowledge-intensive firms. Such controls involve some investment of self and time in the company.

Loosening the conception of what is acceptable or desirable in the public sphere is only one side of the story. Ackroyd and Thompson for example argued that there are also long term changes in which many employees were determined to ‘bring them [private identities] into the organization, creating an exchange and overlap between organizational and social selves’ (1999: 132). Some of this reflects a long-term trend of the weakening of the gendered associations between the household and the workplace. Indeed, a number of feminist writers have drawn attention to evidence that has shown work is an arena in which women and men are most likely to feel engaged in social interaction, make friends and gain a sense of meaning (Cockburn 1991; Hochschild 1997; Trinca and Fox 2004). This is mostly independent of corporate cultures and managerial attempts to shape identity. Also with respect to what we refer to here as ‘expanding the private’, Bolton and Houlihan (2009) are surely right in observing that the main problem with the packaged fun literature is that it neglects the main source of play in the workplace – from the organic, self-organised and subterranean actions of employees themselves (see also Taylor and Bain 2003).

Other workplace trends since the 1990s further illustrate loosening the public and expanding the private. Central to these has been the growth of flexible work arrangements, homeworking and the capacity of the internet and mobile technologies to facilitate these practices (e.g., Kelliher and Anderson 2010). One result is that work has become markedly more elastic and the physical character of the workplace less significant, at least for white collar and professional employees. Mobile technologies have also increased the potential reach of technological surveillance, whether imposed by the organisation or employees themselves.

These parallel and inter-connected boundary-changing trends have created new contexts for contestation. Before detailing these it is worth saying something more generally about

boundaries and 'boundary work'. Boundaries between ethnicities, genders, classes, occupations and the like have their own distinctive dynamics and social conditions that limit generalization. However, Lamont and Molnar (2002) make a useful distinction between symbolic and social boundaries. The former are contested definitional and discursive categories that social actors use to differentiate and defend identities and interests. The latter is when the outcomes – via consensus or conflict – of that competitive struggle for resources becomes objectified in embedded patterns of social difference and modes of conduct. In the following sections we show that social media-influenced boundary work remains highly contested at the level of symbolic resources, for example concerning what constitutes legitimate defence of corporate reputation for employers and the privacy of employees. But there are already signs that unequal power resources are leading to the institutionalization of social boundaries.

This may follow a previous pattern in public-private boundary work. Ackroyd and Thompson focused largely on issues of sexual (mis)behaviour and its regulation through codes of conduct, whether dealing with coercive (harassment) or convivial (romantic relations) forms. Such codes are, however, indicative of wider moves to expand the spheres of behavioural regulation. Other examples include codes dealing with dress and appearance (Gimlin 2007), as well as harassment more generally; more interventionist managerial policies promoting healthy bodies through planned programs of health initiatives (Goss 1997); and governing work-life boundaries (Hyman et al. 2003).

In many of these instances new initiatives are framed in terms of employees conforming to an expanded notion of professionalism and avoiding 'unprofessional' conduct (Gutek 1985). The growth of formal and informal codes reintroduces a calculative or instrumental rationality in an area which was becoming regarded as a private domain (Ackroyd and

Thompson 1999). Contestation arises primarily because the capacity of actors in the employment relationship to appropriate resources such as time, effort and identity are changed and constrained by various redrawing of the public-private boundary. Such appropriation is always dependent on power resources conditioned by contextual factors. Alongside longer-term shifts discussed above, there has been a medium-term trend in product, labour and capital market conditions that have advantaged employers. There is no linear trend in codification or related practices.

Importantly however, neither the new managerial perspectives and practices, nor critical commentary on them, has focused on the actual or potential role of social media. The following section explores how the social media explosion has given a further twist to changing boundaries and the potential consequences for new tensions in and around the employment relationship.

Consequences of shifting public/private boundaries around social media

Managerial interest in the private conduct of employees is not in itself new. Employers in the early factory system were concerned to eliminate ‘pre-industrial’ sexual, drinking and spending habits seen as obstacles to work discipline. Better known later examples include the requirement for employees at Ford to comply with the owner’s code of conduct with respect to, amongst other things, ‘how he spends his evenings’ in order to qualify for the profit sharing plan (Sprague 2011). However, while these earlier interventions reach outside the workplace, they do not in themselves challenge the public/private boundary because private activities, while monitored by the employer, continued to be carried out in homes and social spheres and did not cross the threshold of the workplace itself. In contrast, contestation over social media offers evidence of emerging and dynamic shifts in which those boundaries are

re-constituted or penetrated. Moreover, the architecture of social media are central drivers of this reconstitution, in the sense that the reach, permanency and speed of social media (Jacobson and Howle Tufts 2013) facilitates and also threatens employee/employer interests in new ways.

The reach of social media is no better illustrated than in the employer practice of profiling, which expands (often covert) access to employees' personal information and especially social behaviours, in fundamentally new ways. Legal interpretations of disparaging blogs and online harassment have also pushed the boundaries of what has traditionally been considered 'the workplace', with much greater emphasis placed on threats to, respectively, the integrity of management and employee safety, than whether the information originated on a home computer or outside work hours (HLSLegal 2012). The permanency of social media, and its consequent ability to reorient social structures, is clearly evident in surveillance strategies, where information is amenable to storage, transmission and retrieval to an extent analogue methods weren't (Introna and Wood 2004; Martin et al. 2009; Norris and Armstrong 1999).

What employers perceive as threats to reputation (disparaging blogs and posts), or legitimate protection of interests (profiling), employees are likely to regard as assertion of voice or private persona. Organisations seek to normalise increased electronic intrusion into private space and time, but take umbrage when employees surf the web or use their electronic devices when they should be working. Indeed, 40 percent of UK organisations have sacked someone for email or internet abuse (Broughton et al. 2010). Sackings, of course, are the exception rather than the norm, but if developments continue, we are likely to see an emergent pattern, albeit uneven across national and workplace settings, of the expansion of the *formal* codification of conduct.

While formal legal codifications guiding social media in employment are relatively rare, our earlier review identified some examples. These include limitations on US employers on the use of credit checks or consumption of lawful products; the right to engage in ‘concerted activity’ in US employment legislation; and case law in different jurisdictions that has imposed limits on employer access to employee’s private webmail accounts. Some (usually larger) companies, such as those listed on the Australian Stock Exchange (ASX), are also subject to regulation and guidelines which require them to monitor and disclose relevant online discussions and rumours that can lead to ‘false markets’ and risks to investors. This monitoring expressly includes discussions not only by employees, but also customers and advertisers. More ubiquitous however, are formal organisational codes of professional conduct that define employee obligations specific to online behaviour. There is emergent evidence for example that social media codes are becoming increasingly common, as well as more expansive, in large firms and industry groups (Thornthwaite 2013). A new social media policy developed for the Australian federal public service for example, clearly states that it covers the use of social media in an official and unofficial capacity, whether for professional or personal use. Furthermore, the policy stipulates that if discovered, co-workers should report such material: “If an employee becomes aware of another employee who is engaging in conduct that may breach this policy, there is an expectation that the employee will report the conduct to the department” (Maiden 2014).

Such codes reflect three primary purposes: a defence against potential legal challenge; an attempt to provide new rationales that are designed to legitimate further expansion of managerial activism in the ‘private’ sphere; and to ‘chill’ – as Thornthwaite argues – employee discussion about work and working conditions in social media. Corporate interests can be most effectively articulated and activated through assertion of these new norms of

‘professional’ conduct that draw clear distinctions between positive and problematic or ‘inappropriate’ categories of ‘private’ behaviour. To return to our previous discussion of boundary work, what these trends also show is that formal codification is a strong indicator of how unequal symbolic resources lead to emergent social boundaries that privilege corporate interests. In doing so, the trends mark not just a shift in the public-private boundary but a further re-making of them. While such trends are not inevitable, the privileging of corporate interests reflects particular economic and political conditions that weaken the regulatory context and labour’s countervailing powers.

What is of additional interest is whether we will also observe emerging consensus in the *informal* codification of the behavioural dimension of boundary changes that are acceptable and unacceptable (Broughton et al. 2010). Informal codification might indicate expansion of the effort bargain around new temporal and behavioural norms. This traditional sociological concept is useful in that it signifies tacit norms concerning effort and reward understood and acted upon by employment relations actors. So, for example, when an employer agrees to a policy of teleworking, it will be underpinned by expectations around productivity and commitment. In Rose’s (2013: 5) case study, whilst the company did not have a formal policy on ICT use for personal communication, employees ‘perceived it to be acceptable... provided they were up-to-date with their work’. Hence, shifts towards informal codification are evident in corporate encroachment on private time that is offset by some level of tolerance of access to social media and other ICT during work hours. Another example of emerging informal codification may be the apparent retraction, following significant public criticism (Beadle 2012), of earlier employer recruitment practices where job applicants were required to provide their usernames and passwords to social media sites.

Nevertheless, in such open-ended situations, outcomes are inevitably tenuous and any consensus fragile. This can be seen in the recent case of Yahoo and other companies that have reneged on teleworking arrangements, arguing that presence in the office is a precondition of productivity and creativity (El Akkad and Bowness 2013). Generational issues may also complicate consensus building and the establishment of appropriate behavioural limits. For example, whilst people of all ages are using social media in the employment sphere, awareness and use of privacy settings and the boundaries of effort, reward and acceptable conduct may vary considerably between so-called luddites and younger cohorts, for whom 'the distinction between private conversation and public disclosure has become increasingly blurred' (Rosenblum 2007: 40).

The patchy, arbitrary nature of recent developments around codification and consensus building, and recurrent disputes seen in courts and employment tribunals, suggests that the workplace politics of time and place are increasingly contentious and contested. Several features of the social media(tion) landscape also suggests a level of ambiguity that is likely to persist. First, the proliferation of social media technologies and associated behaviours has been and continues to be very rapid, with formal codification, community consensus, and the law struggling to keep pace. Second, many of the behaviours associated with social media are either not transparent to, or are purposefully concealed from, the other central actor.

Employers for example are not obliged to disclose the sources of, or processes by which, they obtain information on job candidates through profiling (Carrington Davis 2007), making it difficult for job applicants to acquire evidence that information gathered online was used unlawfully. For example, profiling allows employers to gather non-physical biographical information such as sexual, political or religious orientation which would not be obvious in a job application or interview process (Lenhart & Madden 2007). However, only very rarely are discrimination cases brought by claimants during or after a recruitment process

(Broughton 2010), suggesting it is difficult to make such claims effectively. Employees also go to various lengths to conceal their social media activities. As the Dominoes and other legal cases demonstrate, using personally owned devices and employing passwords may not fully safeguard online content from being revealed to an employer, but they do provide a measure of privacy. Meanwhile, work bloggers who post on publically visible sites utilise various means to conceal their identities and avoid detection or disciplinary action by employers such as fictionalising and dramatizing their experiences, buying work-related posts amidst innocuous content, or titling posts so as not to attract attention (Richards and Kosmala 2013; Schoneboom 2011).

Also illustrating the equivocal nature of contestation over social media is the conjecture seen around some cases where disparaging posts were at issue in a dismissal. In the recent and highly publicised ‘Miss Piggy’ case in the UK for example, a university registrar stepped down following the discovery of a post on her social networking site which disparagingly compared the vice-chancellor to Miss Piggy, in saying she was “...secure in her stardom and suffering not a moment of self-doubt, performs with single minded determination regardless of whatever might be going on around her...”. However, the university would not comment on why the registrar exited, nor confirm or deny that the action was related to her blog, despite the post having been taken down (Matthews 2012).

A third reason for the inherently ambiguous nature of social media at work is the inevitable variation in what limits are defined and should be tolerated across contexts, conditioned again by available power resources. Sensitivities and concerns for employers and employees – both prospectively in anticipating and averting tensions that may arise, and retrospectively in responding to a conflict once it has developed – are likely to vary substantially across different industries, workplaces and possibly even work groups within a single organisation.

A case in point is the recently reported electronic tagging of some employees at Amazon's flagship factory in Staffordshire, England. Employees entered into labour contracts where they were required to carry handheld devices which measured worker productivity in real time and transmitted continual messages and warnings from management (Elliot 2013). It seems highly unlikely that this strategy, described by Guardian journalist Zoe Williams as part of "the new shamelessness" with which corporations treat lowly paid workers (Elliot 2013), would be initiated in companies employing workers whose bargaining power was more equal to the employer.

Conclusions and Future Research Directions

The review outlined above highlights multiple levels of visibility at work (Ellerbrok 2010), the asymmetric central concerns of the actors involved, and various, often competing interpretations of boundaries between the public sphere of work and the private lives of individual workers. Though such media are often promoted in terms of their capacity for cooperative sociality, existing power and ownership relations place considerable constraints on the social (Fuchs 2014). The resulting contestation is, in essence, about the relative legitimacy of the respective concerns that arise from new and more complex terrains on which employees and employers can disagree and which may be difficult to codify and control. Figure 1 identifies and defines six distinct terrains which align with the three areas of social media contestation outlined in this review. The terrains are conceptualised as either an interest, where the use of social media by employees or employers threatens the others' claims to legitimacy, or a rationale, where an employee or employer must justify this particular use of social media to the other actor(s), either in the workplace, or where a formal complaint arises. Indeed, it is when contestation associated with social media escalates to the

legal arena that the terrains often become most clearly evident. This is because, in the context of formal legal dispute procedures, actors are forced to explicitly articulate either a rationalisation (for their particular social media conduct) or in response, an interest that is threatened by this conduct.

Figure 1 here

As Figure 1 illustrates, profiling is rationalised by employers as a legitimate way in which information, not traditionally available in recruitment processes, can be used to facilitate the recruitment of employees who exhibit ideal *performativity* and who align with organisational goals. This use of social media by employers however, threatens employees' interests in having a *private identity* that they claim should remain beyond employer scrutiny in the recruitment process. Meanwhile, posting disparaging blogs is often rationalised by employees as a form of *voice*, in the sense of being a valid means of expressing dissatisfactions with their managers, colleagues or working conditions. The competing employer terrain here is *reputation*, which may be sullied by the dissemination of such information in the relatively public medium of online blogs and social networking sites. Similarly, employees can rationalise their use of social media during work time via claims to *autonomy*, while the competing terrain for employers is an interest in the *regulation of employee time*, which they may monitor via surveillance strategies and enforce via disciplinary means.

We have argued that social media disrupts traditional employment relations and has shifted public/private boundaries in organisational life in circumstances where employees and their posts can be touched 'by their employer's long arm that can legitimately reach beyond the scope of the workplace and work time' (Lucero et al. 2013: 156). Our explanations of the social media(ted) tensions uncovered were built on a review of empirical and conceptual articles from the extant literature. However, theory should be further developed that explains,

for instance, how various notions of privacy frames the relative concerns of employers and employees around social media, especially in terms of physical space, dignity, reasonable expectations, and secrecy or concealment (Brown et al. 2012; Levin and Sanchez Abril 2009; Solove 2007). Further, we need to understand the ways in which expanded notions of professionalism are driven by instrumental rationalities such as the formal and informal codification of behaviours, especially those previously regarded as private (Ackroyd and Thompson 1999; Gutek 1985).

Such theoretical insights, combined with empirical knowledge of the extent to which and how social media is actually utilised in different employment contexts and by various occupational /demographic groups, could inform wider debates and, ultimately, consensus-building about limits to regulation, surveillance, or disciplinary actions built on claims of legitimate business concerns. However, such social boundaries need to take account of inherent power dimensions in the employment relationship. It is important to highlight for example instances where employee action has set limits on employer electronic encroachment on the private, notably in the recent Volkswagen case where the company agreed to stop work emails from being delivered to employee smartphones outside of work hours (Potter 2011). This and other similar German and French examples highlight the significance of the regulatory environment on the power resources and choices available to employment relation actors. Additionally, it is important to recognise and further explore the potential for social media networks to facilitate labour coordination and union mobilisation. For example, Moore and Taylor (2013) showed that internet-based communications focussed on two parallel forums played a vital and positive role for employees in the dispute between British Airways and the union, BASSA (see also Panagiotopoulos and Barnett, 2014).

However such cases can obscure the fact that we are in the early stages of development of contestation and simply do not know enough about how boundary changes in general, and the role of social media in particular, are perceived and enacted by managers and workers. More empirically-driven research is required concerning the phenomenon of the employees' colonisation of cyberspace and exploration of how such processes may shed light on a wider range of issues in unpredictable work environments and the ever more precarious nature of employment (Richards and Kosmala 2013).

Traditional case studies may continue to be instructive in unpacking the dynamics of social media contestation in particular workplaces but the architecture of social media itself also offers promising new empirical approaches. Richards (2008) for instance attests that blog-based testimony, as a form of data collection, while unconventional in the sense that it precludes direct workplace observation, can advance the labour process debate. Studying blogging practices over time can also help capture the unfolding dynamics of self-censorship and renewed temptation on the part of employees, as well as the cyclical relaxation and tightening of management controls (Schoneboom 2011). Recent evidence also suggests that social networking sites such as Facebook, may offer a cost-effective means of collecting targeted, representative and even cross-national survey data on a range of issues (Samuels and Zucco 2012) that might include orientations to social media itself.

Such empirical and theoretical insights may also guide the functions and responsibilities of key institutional actors, including employers and workers, but also unions and governments, who have thus far taken a predominantly hands off approach to the tensions outlined here. This is despite the growing ambiguity, visibility and contestability of the issue in public, media and legal debates. The considerable penetration of social media into the workplace, its

capacity to alter the 'nexus of conduct' (Allred 1999) in fundamental ways, and the magnitude of the employment concerns it raises, surely warrants such scrutiny.

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Figure 1: Contested terrains associated with social media in employment

