JFK–Bessette: When an Employee Becomes the Headline—How Much Control Do Employers Have Over Public Image?

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Ryan Murphy's dramatization of the relationship between Carolyn Bessette Kennedy and John F. Kennedy Jr. offers an extreme illustration of a workplace issue that employers increasingly face—when an employee's personal profile begins to impact the brand he or she represents.

Long before becoming part of one of the most scrutinized couples of the 1990s, Bessette worked in public relations at Calvin Klein, managing celebrity relationships and helping shape the company's public image. But as media attention surrounding her relationship with Kennedy intensified, the publicity began to compete with the brand she was responsible for promoting, creating a distraction from the very image she had been hired to help manage.

While that story took place decades before social media, it highlights a question employers continue grappling with today: how much control does an employer have over an employee's public image when it affects the company's reputation? The answer, in most cases, is that employers have some ability to regulate conduct that legitimately affects the business, but that authority is limited.

Employers, understandably, care about how their workforce reflects on the organization. In roles such as public relations, marketing, executive leadership, and client-facing positions, employees function as ambassadors for the company's brand. When public attention turns toward an employee, whether by media coverage or viral online exposure, that attention can easily spill over onto the employer.

That concern is no longer confined to celebrities or high-profile executives. In the digital era, the separation between employees' professional and personal lives has narrowed dramatically. Social media allows posts, comments, and photographs to circulate widely within hours, and it often makes it easy to connect individuals to their employers. As a result, situations that once affected only public figures can now involve employees at every level of an organization.

To manage the negative side of that risk, many companies implement policies addressing employee conduct outside the workplace. These policies include social media guidelines governing how employees reference their employer online and restrictions on public statements that could be perceived as representing the company, and confidentiality provisions protecting internal information. When employees serve as public-facing representatives of the brand, employment agreements may also include reputation or morality clauses allowing employers to respond when an employee's conduct creates reputational risk. Nonetheless, employers' authority to control employee conduct has limits. Even when reputational concerns are legitimate, companies must balance their interests against employee rights.

For example, some states protect lawful off-duty conduct, which could limit an employer's ability to discipline employees for activities outside the workplace that have no connection to their jobs. Similarly, under federal labor law, employees have the right to discuss workplace conditions, publicly in some instances, if those discussions constitute protected concerted activity.

In addition, employers also must be mindful of discrimination risks. If workplace image policies are enforced against some employees but not others, those decisions can expose the employer to claims of disparate treatment. Consistency in enforcement is therefore critical when reputational concerns arise.

The lesson for employers is not that they should attempt to control employees' personal lives. Rather, employers should focus on clearly defining expectations that relate to legitimate business interests. Well-drafted social media policies, consistent enforcement practices, and thoughtful training for managers can help organizations navigate situations where an employee's public image intersects with the company's reputation.