

WilmerHale Cybersecurity, Privacy and Communications Webinar: Regulation of Social Media in the Workplace

MARCH 10, 2016

In this session of the 2016 [Cybersecurity, Privacy and Communications Webinar Series](#), where WilmerHale Partners Jonathan Cedarbaum, Barry Hurewitz and Laura Schneider and Associate Kevin Yurkerwich will discuss the regulation of social media in the workplace.

LinkedIn, Facebook, Twitter and other social media platforms provide employers with an abundance of informal information regarding employees and job applicants. Throughout the last several years, more than 20 states have passed legislation limiting employer access and activity related to the social media accounts of job applicants and current employees. Unchecked review of information drawn from social media may expose employers to legal liability.

Current employees are more frequently and less formally commenting on their work experiences via social media. Under Section 7 of the National Labor Relations Act, some employee comments constitute protected activity, which limits how an employer can respond to detrimental or damaging public statements. Employers must also consider whether an employee's social media posts may disseminate proprietary information or give rise to potential defamation or hostile work environment claims.

This panel discusses:

- the permissible and impermissible uses of social media by employers relating to employee recruitment and with regard to current employees;
- possible approaches to controlling these risks and suggestions for how to draft, update and implement corporate social media policies; and
- how issues under Section 7 of the National Labor Relations Act have arisen, and best practices for safeguarding employer interests without violating applicable law.

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Speakers



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