

## LITIGATION ALERT

### More Scrutiny for Social Media Policies

Be aware! The National Labor Relations Board is watching!

Recently, an employee of American Medical Response of Connecticut (AMR) posted critical remarks about her supervisor on her personal Facebook page, from her home computer, on her own time.

AMR **terminated** the employee and she subsequently **filed charges** with the NLRB claiming her postings were protected as “**concerted activity**.” The NLRB found AMR maintained and enforced an **overly broad** blogging and Internet posting policy that unlawfully interfered with an employee’s right to engage in protected concerted activity, i.e., discuss their employment conditions with co-workers.

The case is currently on appeal and highlights the need to **balance** the scope of **policies** affecting an employee’s right to communicate with co-workers against the company’s right to control the use of social media.

To avoid situations like this case, a well-written **Social Media Policy** in your Employee Handbook **needs** to be in effect at your place of business.

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