



The NLRB Releases Third Report on Social Media Do's & Don'ts

05.31.2012

The National Labor Relations Board (NLRB) Office of the General Counsel has now released a third report addressing social media issues. We previously discussed the first two reports, which primarily addressed employee terminations triggered by social media use. The Operations Management Memo focuses on cases addressing employer social media policies and provides several examples of broadly worded policy provisions determined to be unlawful because they could be interpreted to restrict employees' Section 7 rights to engage in concerted activity and discuss the terms and conditions of their employment.

By way of example, policies that broadly preclude employees from posting or discussing any type of confidential information on social media sites are overbroad unless defined not to preclude employees from engaging in Section 7 rights protected by the NLRA.