

New Illinois Law Prohibits Employers From Seeking Social Media Password Information

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Employers in Illinois will be prohibited from seeking social networking password information from employees and applicants starting Jan. 1, 2013, now that Illinois Governor Pat Quinn has signed into law [Public Act 097-0875](#), which is an amendment to the Right to Privacy in the Workplace Act, 820 ILCS 55/10.

As we [previously reported](#), the legislation makes it unlawful for an employer to require an employee or applicant to disclose passwords or other related social networking account information in order for the employer to access information that might otherwise be considered private by the employee or applicant. However, employers are not barred from accessing information that is in the public domain.

Illinois becomes the second state, after Maryland, to enact such a law, according to a [press release](#) from Governor Quinn's office announcing that he signed the legislation into law on August 1. The new law does not limit an employer's right to promulgate and maintain otherwise lawful workplace policies regarding the use of the employer's computer equipment, Internet use, social networking site use, and electronic mail use.

Illinois employers should consider reviewing existing policies and practices with an eye toward ensuring compliance with this new law.

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