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California Passes Law To Regulate Access To Employees' Social Media Accounts

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California has become the third state to pass a law restricting an employer's right to require access to applicant's or employee's social media accounts as a term and condition of employment. Maryland and [Illinois passed similar laws](#) earlier this year. The new law takes effect Jan. 1, 2013.

The law does provide that an employer still has the right to require that an employee disclose such passwords if it is relevant to an investigation into employee misconduct or violation of applicable laws. While most employers do not have a policy of requiring applicants or employees to disclose social media passwords, the passage of these state laws highlights the importance of training your human resource staff on the potential pitfalls of social media as a recruiting and/or investigative tool. With the passage of the California law, we now have states on both coasts as well as the Midwest with these laws. It is unlikely they will be the last.