

Congressional Bill Would Prohibit Employers From Requesting Social Media Passwords

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On numerous occasions, we've cautioned employers regarding the Board's recent emphasis on social media as a form of protected activity. See the following links for those previous posts:

- [NLRB General Counsel issues additional guidance on social media cases](#)
- [New Facebook Cases - No Protected Concerted Activity, But Is It Surveillance??](#)
- [Update on Social Media issues with the NLRB](#)

The implications of utilizing social networking activity in connection with employment decisions is now beginning to extend beyond the traditional labor context. U.S. Sen. Richard Blumenthal is proposing a bill that would stop the practice of employers asking job applicants for their Facebook or other social media passwords. The Washington Post's article regarding this issue can be found [here](#). Whether or not Sen. Blumenthal's bill comes to fruition, one thing is for certain: Employers' use of social networking activity will continue to be scrutinized (and the NLRB will likely continue to lead the charge).

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