

New Jersey Law Prohibiting Employers from Asking About Social Media Accounts Vetoed

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New Jersey Governor Chris Christie recently conditionally vetoed a bill that would have barred employers from asking current or prospective employees about the existence of any personal social media accounts. Governor Christie's proposed version of the bill also eliminates a private right of action for alleged violations, and includes a provision stating that employers may view or utilize information obtained in the public domain. Under the new version of the bill, employers would still be prohibited from requiring that prospective or current employees provide their log-in information to social media accounts. The New Jersey Assembly has approved the legislation with Governor Christie's edits, but the revised bill still needs to be passed by the New Jersey Senate. If the Senate approves the changes, the new law will become effective four months after being signed by Governor Christie.

TIP: As with other state laws addressing the issue, employers in New Jersey should not require that prospective or current employees provide passwords to personal social media accounts. However, it remains to be seen whether employers may even ask about the existence of social media accounts.

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