

## New Arkansas Law Protects Employees' Social Media Accounts

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Arkansas Governor Mike Beebe recently signed [H.B. 1901](#) into law, prohibiting employers from asking employees or job applicants for social media log-in information. Additionally, employers may not require that current or prospective employees add a supervisor to their social media contacts (i.e., “friending”), or require that privacy settings on social media accounts be changed. If an employer inadvertently obtains social media log-in information through an employer-provided electronic device, or through monitoring of the employer’s network, the employer will not be liable for possessing the information but may not use it to access the social media account. Employers may not retaliate against current or prospective employees for exercising their social media privacy rights, but may still view information on social media sites that is publicly available. Earlier, Governor Beebe also signed a similar [law](#) prohibiting higher education institutions from obtaining log-in information from current or prospective students, requiring that students add a school employee or volunteer as contact or requiring that students change their privacy settings.

**TIP: To comply with this law, employers should not ask current or prospective employees for social media log-in information. Employers should also note that this state law explicitly prohibits requiring “friending” of supervisors.**

*This tip has been created for information and planning purposes. They are not intended to be, nor should they be substituted for, legal advice, which turns on specific facts.*

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