

Employers, Landlords and Schools Prohibited From Requesting Personal Social Media User Names and Passwords

APRIL 28, 2014

A Wisconsin law recently went into effect banning employers, landlords, and educational institutions from requesting or requiring access to certain social media account access information, namely user names, passwords or any other security information that protects access to personal social media accounts and other Internet-based sites used exclusively for personal communications. This law applies to applicants and employees for employers, tenants and prospective tenants for landlords, and students and prospective students for schools. Under this new law, employers, landlords, and schools are also prohibited from retaliating against a person who refuses to provide such information or cooperates in an investigation under the law. There are exceptions, including to protect confidential or proprietary employer information.

TIP: Businesses should be aware that Wisconsin is the latest in a growing number of states to prohibit requiring or requesting access information to gain entry into people's personal social media accounts. This law is a reminder that businesses should review their processes and procedures to determine whether they are in compliance with these new laws.

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