

Tennessee Restricts Employer Access to Social Media

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Tennessee recently became the latest state to prohibit employers from requiring that job applicants or employees disclose their passwords to personal Internet accounts, which are online accounts used for personal communications. [S.B. 1808](#) also restricts employers from requiring that applicants or employees add the employer to a list of contacts associated with a personal Internet account and from requiring that applicants or employees access a personal Internet account in the employer's presence. Employers can require that an employee disclose a username or password in order to access an employer-provided device or an account that is used for the employer's business purpose, and can protect their confidential information. Employers may also restrict employees' access to certain websites when using employer-owned equipment, may monitor use of employer equipment and networks, and may investigate employees if the employer has specific information about the employee's misconduct or use of the employer's confidential information. Finally, the law also contains exceptions for employers who have a duty to screen employees and for information in the public domain.

TIP: Employers in all states should be aware that state laws may restrict their ability to require employees and/or applicants to provide access to personal social medial accounts. Employers should refrain from seeking this information from employees and applicants.

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