

Another Social Media Policy Found to Violate NLRA

DECEMBER 10, 2012

On November 14, an administrative law judge for the National Labor Relations Board found that DISH Network Corp.'s social media policy violated the National Labor Relations Act. The policy included a provision prohibiting employees from making disparaging or defamatory comments about the company and did not allow employees to access social media sites with employer resources or during their working hours. The administrative law judge found both of these provisions invalid, as the NLRB has recently held that similar rules are unlawful. The judge noted that rules banning social media on company time are presumptively invalid, as employees may engage in protected activity during lunch and other break periods. For previous Winston & Strawn publications on this topic, please click [here](#) and [here](#).

TIP: Employers should review their social media policies with legal counsel in order to help ensure compliance with recent guidance and cases from the NLRB.

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