

NLRB Orders Boch to Notify Employees That Social Media Policy Violated Law

JUNE 16, 2015

According to a recent National Labor Relations Board (NLRB) decision, Boch Imports (Boch) maintained – in its employee handbook – a social media policy that violated the National Labor Relations Act (NLRA). In particular, the NLRB took issue with the fact that the policy required employees to identify themselves on social media when making comments about the employer. According to the NLRB, this substantially interfered with employees' ability to engage in protected activity via social media outlets.

As a result of the NLRB's concerns, Boch changed its social media policy in 2013. On April 30, 2015, the National Labor Relations Board determined in a 2-to-1 decision that despite the fact that Boch had revised its policy, it had not effectively repudiated its unfair labor practices. The NLRB concluded that remedial action was thus necessary and that Boch needed to notify employees not only of the policy's new terms, but also of the fact that the old policy was a violation of the NLRA and that Boch would not enforce the terms of the old policy.

The dissenting board member expressed that he felt that revisions such as the one Boch made in 2013 should be encouraged and not punished with a remedial order.

1 Min Read

Related Locations

Chicago

Related Topics

Workplace Privacy

Related Capabilities

Privacy & Data Security

Related Regions

North America

This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.