

Five Questions To Ask Before Axing Workers For Facebook Posts

News

4.29.13

Tampa Partner Steve Bernstein was quoted in the April 29 article “Five Questions To Ask Before Axing Workers For Facebook Posts” on *Law360*. An employer stung by a worker’s scathing social media posting may be in a hurry to take action. But recent rulings by the National Labor Relations Board on this issue show that an employer who makes a hasty decision could land their company in hot water. Steve noted that aside from the content of the post, the employer also has to worry about the context that gave rise to it, since words can take on a different character depending on surrounding events. “Employers need to take a deep breath, step away from the ledge and get the context behind the statement before even contemplating a disciplinary action.” Another issue employers should consider before taking action is the hit the company’s reputation would take if it disciplined the employee, given the intense public interest in social media firings and the resulting NLRB scrutiny. He advised employers to weigh whether they really want that kind of publicity before taking action. “Who wants to be the next Facebook case?”

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