

Lawyers Weigh In On NLRB Employer Email Ruling

News

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Steve Bernstein was quoted on *Law 360* on December 11, 2014. The article “Lawyers Weigh In On NLRB Employer Email Ruling” provided feedback from various attorneys regarding the the NLRB’s recent ruling in the Purple Communications Inc. case, which held that workers have a right to use their employers’ email systems for non-business purposes including communicating about union organizing.

Steve said, “It appears that the first domino has now fallen, with it the NLRB has handed unions a powerful weapon with the overturning of Register Guard. Emboldening unions with the ability to organize by proxy via email represents a further erosion of the rights of employers to police the virtual world. In fact, the decision may ultimately have some unforeseen consequences, as it may prompt some employers to reconsider making email available in the first place, particularly in light of an anticipated ‘quickie election’ rule that may soon require them to hand over all email addresses in their possession. Furthermore, the NLRB’s reference of Section 7 in the ruling is telling. The decision could be interpreted as giving all employees carte blanche protection to take to the airwaves on working time to gripe about their employers.”

To read the full article, please visit [Law 360](#).

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