

Beware the Employee Blogger

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Employees increasingly use blogs to broadcast information and opinions worldwide. Inevitably, some employees post negative, hostile, false or confidential information and opinions about their employers and coworkers. Some objectionable postings are legally protected, but others form a basis for discipline or discharge. In determining how to deal with such postings, employers first should consider when they can legally monitor computer sites; when they actually will monitor them; and how they will notify employees of their intent to monitor them.

Although in most states employers have broad latitude to discipline or terminate employees for inappropriate blogging activities, common-law and statutory privacy protections are increasing. Some states already have statutes prohibiting employers from terminating or taking certain other actions against employees engaged in lawful Internet activities. This trend bears watching. Employers should continue to do everything possible to protect their companies from detrimental blogging.

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