



Rhode Island Enacts New Social-Media Privacy Law

Insights

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Gov. Lincoln D. Chafee recently signed the 2014 Student and Employee Social Media Privacy Acts into law. In a press release, lawmakers said that the new law was modeled on similar laws in California that are “considered one of the nation’s strongest social-media privacy laws in the nation.”

Under this new law, employers cannot 1) require an employee or applicant to disclose social-media information, including their username, password, or other means of access to an account; 2) require or compel an employee or applicant to add someone to their list of contacts associated with a social-media account as a condition of employment; or 3) discharge, discipline, or penalize an employee for refusing to divulge social-media information to the organization.

The law also creates a private right of action for employees to sue their employers seeking declaratory relief, damages, and attorneys’ fees.

We suggest that you review your company’s applications, interview practices, and social-media policies to ensure that they do not in any way seek employees’ usernames, passwords, or any similar social-media information. You should also make your managers aware of this law and instruct them not to “friend” or accept other social-media requests from their subordinates without approval.

While interacting on social media might seem like a fun way to build camaraderie, these activities could be construed as violations of this law by a disgruntled employee. The best way to protect against liability is to avoid such interactions altogether.

For more information visit our website at www.fisherphillips.com or contact any attorney in the Boston office of Fisher Phillips at (617) 722-0044.

This Legal Alert provides an overview of a particular new state law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.