

The NLRB and Employee Comments on Social Media

News

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Denver Partner Todd Fredrickson was quoted in the June 2012 *Credit Union Management Magazine* article "The NLRB and Employee Comments on Social Media." The article reported on the National Labor Relations Board's standing on whether employers can discipline, or even terminate, employees for comments made via social media. Todd noted the large number of cases currently pending under the NLRB to appeal firings of employees who criticized their employers through social networks. He said there are two broad areas of impact: conduct an employer can discipline and terminate over and what is viewed as protected conduct by the NLRB. "The NLRB has taken a very aggressive approach that if you discipline or terminate employees for engaging in that conduct, you've committed an unfair labor practice." He added that, while policies can help establish clear guidelines, it is important to understand that policies cannot supersede the law.

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