



social media: more headaches for employers

MSK Client Alert

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California Limits Employer Access to Personal Social Media Accounts

Effective January 1, 2013, California employers will be prohibited from requesting or requiring employees or applicants to provide their personal social media account access information. Employers also will be prohibited from asking employees or applicants to access their personal social media accounts in the employer's presence and from otherwise requiring employees or applicants to divulge personal social media information. The new law (AB 1844), enacting California Labor Code Section 980, also prohibits employers from retaliating against an employee or applicant who refuses to comply with a request or requirement that is made unlawful under the new law. AB 1844 casts a wide net, defining "social media" as any electronic service or account, or electronic content, including personal videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, and Internet website profiles or locations.

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