



*The franchise industry's premier
full service boutique law firm*

www.chengcohen.com

It's Time to Review Your Social Media Policy

On September 7, the National Labor Relations Board struck a blow to Costco by finding that, through its social media policy, the company engaged in an unfair labor practice. One of the offending provisions of the company's social media policy (there were several) warned employees that posting on electronic message boards or discussion groups messages that "defame the company or any individual or damage any person's reputation" may subject the employee to discipline or termination. The NLRB, overturning an Administrative Law Judge's decision, found that the provision would reasonably chill the employees' exercise of their rights under the National Labor Relations Act to engage in "concerted activities for the purpose of collective bargaining or other mutual aid protection." The decision has implications for all employers, regardless of size and irrespective of whether employees are unionized or are attempting to organize. Regular review of employment-related policies is good practice. This decision provides important guidance for the review of existing social media policies and for drafting new policies. Contact us for more information about the decision and its implications.

Cheng Cohen LLC
311 N. Aberdeen
Street, Suite 400
Chicago, Illinois
60607

www.chengcohen.com

October 2012

For more information,
contact:

Michael Daigle
[e-mail](mailto:michael@chengcohen.com) or 312.957.8366

Amy Cheng
[e-mail](mailto:amy@chengcohen.com) or 312.243.1716

Fredric A. Cohen
[e-mail](mailto:fredric@chengcohen.com) or 312.243.1717

Cheng Cohen LLC is pleased to send periodic e-letters to clients or friends as a news reporting service. The information contained in this publication should not be construed as legal advice.



This email was sent to joanna.lim@chengcohen.com by tech@chengcohen.com |
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Cheng Cohen LLC | 311 N. Aberdeen St., Suite 400 | Chicago | IL | 60607



Try it FREE today.