

Frank C. Morris, Jr., Quoted in "Review, Revamp Social Media Policy to Stay in Line with What Labor Board Advises"

Home Health Line

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Frank C. Morris, Jr., Member of the Firm in the Litigation and Employee Benefits practices, in the Washington, DC, office, was quoted in *Home Health Line* in "Review, Revamp Social Media Policy to Stay in Line with What Labor Board Advises," by Josh Poltilove. *(Read the full version — subscription required.)*

Following is an excerpt:

In the wake of recent NLRB decisions and a rapidly evolving law, however, your agency should review its policy annually to determine if the policy needs updates, adds Frank Morris, head of Epstein Becker Green's Labor & Employment Practice Group in Washington D.C.

Right now, many agencies have overly broad language within their policies, Morris believes. For instance, some agencies' policies tell employees they're not allowed to speak on social media about things such as wages, hours and working conditions — and the NLRB has made it clear that employees are allowed to do so, regardless of whether they're in a union. ...

"These written policies are a very useful tool to help in defense against discrimination," Morris says.

Address the new policy or policy changes with employees, letting them know what types of social media use your agency will deem unacceptable, he adds.

People



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Actions agencies should take against employees who violate the policy vary depending upon the nature and seriousness of issue, Morris says. If a nurse, for instance, posts protected health information online, that would be a HIPAA violation and the employee might have to be let go.