

Maryland: Employers Cannot Demand Applicants'/Employees' Social Network Passwords

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Maryland is the first state to pass legislation which bans employers from asking for current and prospective employees' passwords to social media sites. The legislation passed the General Assembly and is now waiting to be signed by the Governor. The demand for such legislation is not limited to Maryland. Senators from New York and Connecticut have asked the Department of Justice and the EEOC to investigate this particular practice, which has become more and more common with employers of late. Illinois and California presently have similar legislation pending.

Conducting checks into employees' and prospective employees' backgrounds is very common, yet can be very risky. Before delving into your applicants'/employees' social networking backgrounds, consult with counsel to determine whether your methods are appropriate and compliant with local, state, and federal law.

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Topics

Legislation, Social Media