

BLOGS

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Technology, Law, and the Workplace: Week in Review (The “Texters” Edition)



Photo by [Joseph Holmes](#) (via [Bits](#))

As always, the world of technology never seems to slow down. This Week in Review includes articles about a [Presidential Town Hall on Twitter](#), [hackers galore](#), and the [online fallout of the Casey Anthony trial](#). Among all the news of the week, I was captivated by the [New York Times coverage of Joseph Holmes's online series of photographs](#) entitled “[Texters](#).” The series depicts individuals around New York City peering down at their smartphones, completely absorbed in the world of technology and often oblivious of their surroundings.

Besides providing an interesting commentary on modern life, this series has interesting employment law implications. In this day and age, it is rare for an employer *not* to provide or allow smartphone use for work purposes. Unfortunately, many employees use this technology while driving, walking, or in countless other dangerous or inappropriate situations. In the event of an accident caused by an employee's use of smartphone technology, employees and third parties could (and often do) seek some form of compensation from the employer, including workers' compensation and tort claims.

Given this potential liability, employers are well advised to maintain policies about appropriate and safe use of smartphone technology. However, the “Texters” series also demonstrates the fundamental shift in attitudes and social



norms about use of technology on the go. Employers that wish to counter these norms should educate and train employees about the employer's expectations.

Technology in the Workplace

- DOL to Conduct Web Chats on its Semiannual Regulatory Agenda ([Washington, D.C. Employment Law Update](#))
- Hijacked on LinkedIn,irate Exec Says ([Courthouse News](#))
- Location, Location, Location: Recent Developments in "GeoPrivacy" and the Impact on the Use of GPS in the U.S. Workplace ([Workplace Privacy Counsel](#))
- Google+ the Workplace Social Media? ([Labor Related](#))

Technology and the Law More Generally

- Amid Stacks of Paper, 'E-Court' Is Finally in Session ([NY Times](#))
- To Slow Piracy, Internet Providers Ready Penalties ([NY Times](#))
- No Friend of Mine: Court Denies Facebook Discovery ([Delaware Employment Law Blog](#))
- Should the Government Need a Search Warrant to Track Your Car With GPS? ([Time](#))
- N.Y. Juror Fined for Texting From Deliberations ([Going Paperless](#))
- U.K. Juror Sentenced to Jail for Facebook Contact ([Going Paperless](#))

Technology in the News

- Mayo Clinic launches social network ([Tech{dot}MN](#))
- Investment Values Twitter at \$8 Billion ([Deal Book](#))
- President Obama @ Twitter Town Hall ([White House Blog](#), [The Caucus](#))
- Facebook Offers Video Chat in Arrangement With Skype ([NY Times](#))
- Texters, the Photo Series ([Bits](#))
- New Glasses Give The Blind Bionic Eyes ([Fast Company](#))
- Watching a Trial on TV, Discussing It on Twitter ([NY Times](#))
- British Tabloid Hacked Missing Girl's Voice Mail, Lawyer Says ([NY Times](#))
- Hackers Commandeer a Fox News Twitter Account ([NY Times](#))