

## BLOGS

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# Week in Review

The National Labor Relations Board continues to focus on employer social media policies and employee discipline for online activity. In a ruling this week involving Triple Play Sports Bar & Grill, the Board concluded that Triple Play unlawfully fired two employees for their response to a co-worker's Facebook post. One of these employees had only responded to the post by clicking the Facebook like option on the post. The Facebook post at issue related to the employer paying taxes, and the Board concluded the exchange about the post, including the like response, was a protected group discussion about a term or condition of employment. In addition, the Board found that the employer's social media policy was unreasonably restrictive because it prohibited "inappropriate discussions about the company." As we've discussed in numerous other posts, non-management employees have a protected right under labor law to engage in group discussion and activity to try to better their terms of employment. You can read more below about the Triple Play case and how to stay on the right side of the National Labor Relations Board. And, speaking of Facebook, anyone familiar with the social media site is aware of the viral ALS ice bucket challenge. While the challenge has been an enormous fundraising success, check out the link below for a list of things employers should consider before hosting or approving a group workplace challenge.

## Related People

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## Technology and the Workplace

Facebook firing causes unfair labor practice double play for NLRB ([Ohio Employer's Law Blog](#))

A Cold Shower for Workplace Ice Bucket Challenges? ([Connecticut Employment Law Blog](#))

5 Ways the Workforce Will Change in 5 Years ([Mashable](#))

Uber Faces Storm Over Controversial Recruitment Tactics ([WSJ](#))

When psychiatrists are on Facebook, their patients can get a case of TMI ([The Washington Post](#))

## Technology and the Law

Calif. governor signs smartphone 'kill switch' bill into law ([CNET](#))

FBI Probes Possible Hacking Incident at J.P. Morgan ([WSJ](#))

Judge Denies Apple Request for Injunction vs. Samsung Phones, Tablets ([WSJ](#))



More than 1,000 businesses affected by same malware as Target ([LA Times](#))  
Dairy Queen confirms potential data breach ([Minneapolis/St. Paul Business Journal](#))

## There's an App for That

Wearables has become a household name. Could nearables be next? ([The Washington Post](#))  
Twitter Just Gave You Analytics Power. Is It Useful? ([WSJ](#))  
TiVo goes after cord-cutters with post-Aereo device ([CNN](#))  
Waterproof e-reader launched for bath time bookworms ([The Guardian](#))  
Bye Bye, Birdie: How to Delete All Your Tweets in an Instant ([Yahoo](#))