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BLOGS

Contracts & Agreements; Free Speech; Investigations & Training; Labor & Unions; Social Media & Technology; Week in Review; Workplace Policies

Week in Review

This week, there were a number of interesting developments in the world of employment labor law. A NLRB judge ruled that a union's Facebook page is not an extension of the picket line. The case involved striking workers' threatening comments on the union's Facebook page. The NLRB Acting General Counsel initiated the complaint against the union, arguing that the union, which did nothing to disavow the comments, should be held responsible for them, just like it would be if they were made out on the picket line. The NLRB judge disagreed and dismissed the complaint.

The other two noteworthy cases this week involve suits against ex-employees for social media usage relating to their departures. In *Invidia, LLC v. DiFonzo*, a hairdresser was sued for violating a non-solicitation agreement because she made a Facebook announcement about her new employment arrangements. The employer pointed to the number of clients the ex-employee was Facebook friends with, client comments on the post and the loss of 90 clients, to support its argument that the Facebook announcement amounted to prohibited solicitation. A Massachusetts Superior Court judge disagreed, finding the Facebook announcement was a general type of announcement common in service industries.

The other former-employee suit this week revolved around the question of how much a Twitter follower is worth. Internet company PhoneDog, believing that each of its Twitter followers is worth \$2.50 a month, sued an ex-employee for \$340,000 after he took 17,000 of the company's Twitter followers with him when he left. The suit settled this week. If you're curious about how much a Twitter follower really is worth, you'll have to keep guessing, because neither side is disclosing the amount.

Technology and the Workplace

Contractor Suing Homeowner Over Negative Yelp, Angie's List Review ([CBS](#)) ([FOX](#))
South Carolina Firm Settles Suit of Value of Twitter Followers ([Insurance Journal](#)) ([CNET](#))
MA Judge: Facebook Announcement Was Not a Solicitation ([Mondaq](#)) ([Inside Counsel](#))
Flight Attendant Out of Job After Facebook Remark ([La Crosse Tribune](#))
Union Facebook Page Not Picket Line Extension: NLRB Judge ([Law 360](#)) ([JD Supra](#))
Top Overused Buzzwords in LinkedIn Profiles ([Wired](#))

Technology and the Law

Prosecutors Target Drowsy Drivers; Cellphone Usage Provides Evidence of Sleep Deprivation ([ABA Journal](#))
Online Ad Firm Agrees to Stop "History Sniffing" in Web Browsers ([LA Times](#))
Students Take Facebook to Court Over Privacy Policy ([NBC](#))
Cops to Congress: We Need Logs of Americans' Text Messages ([CBS](#))
Appeals Court Sides With Bush Wiretapping ([Wired](#))
Red-Light Traffic Cameras Have Drivers Seeing Red ([FOX](#))



There's an App for That

Apps That Help With Holiday Stress ([Huffington Post](#))

New App Can Identify Human Emotions? ([WHEC TV-10](#))

New App Aims to Make Resolutions, Goals More Achievable ([Reuters](#))

Verizon Patenting DVR That Monitors for Cuddling ([NBC](#))