

## BLOGS

Archives; Privacy & Information Security; Social Media & Technology; Week in Review

# Week in Review

Four different kinds of employees are causing employers grief in the modern workplace this week.

**The Workaholic:** while employees' constant connection to work via smartphones may seem like a great thing, employers need to ensure that they are following wage and hour laws in compensating employees for this time. The California Public Agency Labor and Employment Blog explains how after-hours, work-related smartphone usage can get employers into trouble if they are not careful.

**The Troublemaker:** in a recent NLRB memo, the Board found that an employer could legally terminate an employee who used Facebook to goad the employer to fire her.

**The Cyberloafers:** a recent survey found that 60% of workers use their work computers for non-work activities, and that many workers spend more than a half-hour each day shopping, instant messaging, or attending to other personal matters.

**The Misleading LinkedIn User:** a Kentucky court found that an employer cannot force a former employee to update his LinkedIn account. The court rejected the employer's arguments that the ex-employee had engaged in fraudulent misrepresentation when he left his LinkedIn profile unchanged after his employment terminated.

## Technology and the Workplace

Employee Usage of Smartphones After Hours — Are Employers Liable for Overtime? ([CA Public Agency Labor & Employment Blog](#))

When Employee Taunts Employer Via Facebook to "Fire Me... Make My Day..." NLRB Memo Concludes the Employer Can Go for It ([Employer Law Report](#))

Employees Assume Bosses Track Their Work Computers, Survey Finds ([LA Times](#))

Court Rules Employer Cannot Force a Former Employee to Update LinkedIn Profile ([Employer Law Report](#))

WA Gov. Signs Social Media Privacy Bill ([Law 360](#)); NJ Assembly Passes Revised Social Media Privacy Bill ([Law 360](#))

## Technology and the Law

LA Bill Would Ban Drivers From Reading Tweets ([WSJ](#))

Woman Outed After Twitter Brag That She Hit Cyclist ([CNET](#))

Technology Blocks Smuggled Cell Phones, But Not Approved Calls, at State Prison ([ABA Journal](#))

How Police Can Find Your Deleted Text Messages ([CNN](#))

Parties in Slip-and-Fall Case Ordered to Hire Neutral Expert to Probe Plaintiff's Facebook Page ([ABA Journal](#))



## There's an App for That

Tools That Tell You If You're Legally Drunk ([CNN](#))

Nextdoor, the Social Network for Neighbors, Rolls out iPhone App ([LA Times](#)) ([CNET](#))

New "Clueful" App Scans Android Phones for Privacy Leaks ([NBC](#))

App Delivers "Virtual Placebo" to Improve Your Health ([Mashable](#))