

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Workforce

REVENUE: No revenue impact**FISCAL: Minimal fiscal impact, no statement issued****SUBSEQUENT REFERRAL TO:****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Matthew Germer, Administrator**Meeting Dates:** 2/18, 2/25

WHAT THE MEASURE DOES: Creates unlawful business practice if employers require employees or applicants establish or maintain social media accounts. Prohibits employers from requiring employees or applicants to authorize the employer to advertise on their personal social media accounts.

ISSUES DISCUSSED:

- Purpose of employer requirement to have social media account
- Employer advertising on social media

EFFECT OF COMMITTEE AMENDMENT:

(-1) Defines “personal social media account” and “social media.”

BACKGROUND: National media sources have reported instances in which employers pressured employees or job applicants to provide access to their social media accounts or to add the employer to social media contacts as a condition of employment. Employees and applicants may fear retribution if they do not comply with the request. In response, in 2013 the Governor signed into law HB 2654 B prohibiting employers from requiring or requesting access to employees’ or applicants’ social media accounts.

Nevertheless, under current Oregon law, employers can require employees establish or maintain social media accounts as a condition of employment. Further, employers can require employees to advertise or promote the employer or its products through their personal social media accounts.

Senate Bill 185 prohibits employers from requiring employees and applicants establish or maintain social media accounts as a condition of employment. The measure also prohibits employers from requiring employees or applicants to authorize the employer to advertise on their personal social media accounts.