

STAFF MEASURE SUMMARY

House Committee On Business and Labor

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/04/15

Action: Do Pass.

Meeting Dates: 05/04

Vote:

Yeas: 10 - Barreto, Barton, Doherty, Esquivel, Evans, Heard, Holvey, Kennemer, Nosse, Weidner

Exc: 1 - Fagan

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Establishes unlawful employment practice of requiring employee or job applicant to establish or maintain a personal social media account or to authorize employer to advertise on personal social media account of employee or applicant.

ISSUES DISCUSSED:

- House Bill 2654 (2013) prohibition on employer requiring employee to “friend” them
- Possible reasons why employer would want employee to have social media account

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

In response to concerns that employers pressured employees or job applicants to provide access to their social media accounts or to add the employer as a contact on their social media accounts as a condition of employment, the Legislative Assembly passed House Bill 2654 in 2013 to prohibit such actions and to prohibit retaliation based on the refusal to disclose such information about their social media account.

Concern now exists that an employer can require an employee or a job applicant, as a condition of employment, to establish or maintain a social media account and to authorize the employer to advertise on the account.

Senate Bill 185-A establishes an unlawful employment practice for an employer to require an employee or job applicant to authorize the employer to advertise on the personal social media account of the employee or applicant. A “personal social media account” is defined to clarify that such an account is unrelated to any business purpose of the employer and it is not provided by or paid for by the employer.