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Can New York Be Next State to Limit Employers' Access to Social Media Accounts?

On April 5th, 2013, New Mexico became the sixth state to regulate company access to social networking accounts. Under the new regulation, an employer may not request or demand a job applicant's social networking password or otherwise mandate access to the account.

The new law expressly states that the new restriction does not impair an employer's right to have workplace policies governing access to the Internet or social networking access, and that a company may continue to view information that is available in the public domain.

A similar bill is before New Jersey Governor Chris Christie, while Maryland, Illinois, California, and Michigan enacted similar laws in 2012.

Can New York be far behind? Numerous state legislatures are considering the issue during the remainder of the current legislative year.



Alan B. Pearl, Esq.
Chief Operating Officer
Portnoy, Messinger, Pearl & Associates, Inc.
Syosset, NY
Phone: 516-921-3400 Fax: 516-921-6774
E-mail: abpearl@pmphr.com
Website: www.pmphr.com

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