



Workplace Privacy, Data Management & Security Report

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California Becomes Third State to Limit Access to Employees and Students' Social Media Accounts

Late last week, [California Governor Jerry Brown](#) "took to Twitter, Facebook, Google+, LinkedIn and MySpace to announce that he has signed two bills that increase privacy protections for social media users in California."

[As discussed](#), one of the bills, [A.B. 1844](#), updates California's Labor Code to significantly limit when employers could ask employees and job applicants for social media passwords and account information. However, the law permit employers to request an employee to divulge personal social media activity reasonably believed to be relevant to an investigation of allegations of employee misconduct or employee violation of applicable laws and regulations. This exception applies so long as the social media is used solely for purposes of that investigation or a related proceeding.

The other bill, [S.B. 1349](#), establishes a similar privacy policy for postsecondary education students with respect to their use of social media. While the bill prohibits public and private institutions from requiring students, prospective students and student groups to disclose user names, passwords or other information about their use of social media, it stipulates that this prohibition does not affect the institution's right to investigate or punish student misconduct

The new laws take effect Jan. 1, 2013.

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