



CONSTANGY
BROOKS, SMITH &
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Employment Law and the Modern World

Social Media, Harassment and Money
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A wider lens on workplace law



The Positives of Social Media

- Seeing that your high school ex is now bald and slightly rounder (I mean reconnecting with old friends)
- Opportunities for news, education, business and reducing communication barriers
- “Viral” marketing
- Feedback
- Recruiting
- Spying on employees?



Using Social Media in Hiring and Retention

- Title VII – “to fail or refuse to hire or to discharge any individual... because of such individuals race, color, religion, sex, or national origin.” *Section 703(a)*
- ADEA
- ADA
- GINA
- Employers ask for Passwords to social media during application process
 - Now illegal in over 30 states



WHY

- **Why is sexual harassment hot news?**
- **Why did they think they could get away with it?**
- **Do you think the “me tooers” will affect the reporting of sexual harassment in everyday workplaces?**

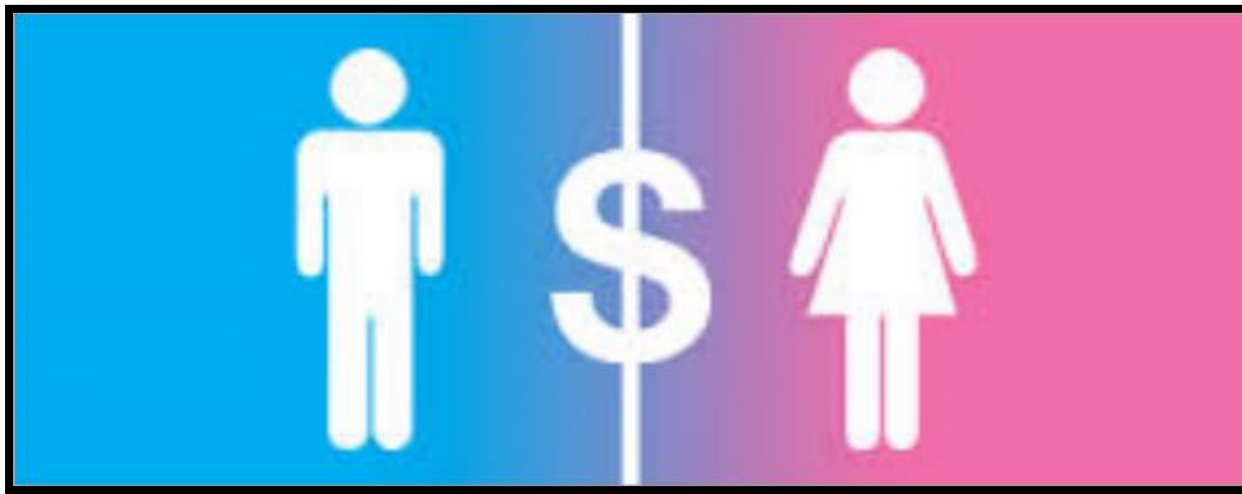
WHAT IS IT?



What do I do if I believe I have been harassed or witnessed someone being harassed?



Addressing Pay Equity Issues in the Workplace



Hot Topics

- Exemptions
- Telecommuting
- Coffee, rest and bathroom breaks
- Meal periods of less than 30 minutes
- Meeting and training time (generally)
- Home work & time on mobile devices
- Preliminary activities (post-liminary)
- Deductions
- Independent Contractor

